

**AN ORDINANCE AMENDING FRISCO'S COMPREHENSIVE ZONING ORDINANCE NO. 00-11-01 AND CITY OF FRISCO ORDINANCE NO. 05-08-57; REZONING A TRACT OF LAND CONSISTING OF 18.0 ACRES, MORE OR LESS, SITUATED IN THE W.B. WATKINS SURVEY, ABSTRACT NO. 1004, CITY OF FRISCO, COLLIN COUNTY, TEXAS HERETOFORE ZONED PLANNED DEVELOPMENT-153-MIXED USE, INDUSTRIAL, AND ORIGINAL TOWN COMMERCIAL IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-ORIGINAL TOWN COMMERCIAL (PD-OTC); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council") has investigated and determined that the Comprehensive Zoning Ordinance No. 00-11-01 and City of Frisco Ordinance No. 05-08-57 should be amended; and

WHEREAS, the City of Frisco, Texas ("Frisco") has received a request from Frisco TC, L.P. ("Applicant") to rezone 18.0 acres of land, more or less, situated in the W.B. Watkins Survey, Abstract No. 1004, in the City of Frisco, Collin County, Texas; and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has further investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to rezone this property as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:**

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendments to Comprehensive Zoning Ordinance No. 00-11-01 and City of Frisco Ordinance No. 05-08-57. Comprehensive Zoning Ordinance No. 00-11-01 and City of Frisco Ordinance No. 05-08-57 are amended as follows:

“The zoning designation of the below-described property containing 18.0 acres of land, more or less, situated in the W.B. Watkins Survey, Abstract No. 1004, in the City of Frisco, Collin County, Texas, (the “Property”) and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned as Planned Development – Original Town Commercial (PD-OTC). The Property as a whole and the boundaries are more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes as if set forth verbatim. The general location of the Property is depicted on Exhibit “A-1”, attached hereto.

The development plans, standards, uses and schedules for the Property in this Planned Development District shall conform to, and comply with the intent and purpose attached hereto as Exhibit “B” and the development standards attached hereto as Exhibit “C”. Exhibits “B” and “C” are incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

Three original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. Two (2) copies shall be filed with the City Secretary and retained as the original records and shall not be changed in any manner.
- b. One (1) copy shall be filed with the building inspector and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

Written notice of any amendment to this Planned Development District shall be sent to all property owners within two hundred (200) feet of the specific area to be amended."

**SECTION 3: No Vested Interest/Repeal.** No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

**SECTION 4: Unlawful Use of Premises.** It shall be unlawful for any person, firm, entity or corporation to make use of said premises in some manner other than as authorized by this Ordinance and it shall be unlawful for any person, firm, entity or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

**SECTION 5: Penalty.** Any person, firm, corporation or entity violating this Ordinance, any provision of Frisco's Comprehensive Zoning Ordinance No. 00-11-01 or Ordinance No. 05-08-57, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing days' violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance

shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 6: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 7: Savings/Repealing Clause.** Frisco's Comprehensive Zoning Ordinance No. 00-11-01 and City of Frisco Ordinance No. 05-08-57 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 8: Effective Date.** This Ordinance shall become effective from and after its adoption and publication as required by law and the Charter of Frisco.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS** on this 04th day of March, 2008.

  
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E. MICHAEL SIMPSON, Mayor



ATTESTED TO AND  
CORRECTLY RECORDED BY:

*Joanna Parker*

JOANNA PARKER  
City Secretary



APPROVED AS TO FORM:

*Rebecca Brewer*

ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.  
REBECCA BREWER  
City Attorneys

DATES OF PUBLICATION: March 7 & 14, 2008, Frisco Enterprise

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 1**

BEING all that certain tract of land situated in the James Bolin Survey, Abstract No. 31, and the W.B. Watkins Survey, Abstract No. 1004, and being part of Block No. 108, Original Town of Emerson (now Frisco), Texas, as recorded by plat in Volume 113, Page 74, Map Records, Collin County, Texas, and also being a portion of those tracts conveyed to Mahard Feed Mill, Inc. by deed recorded in Volume 851, Page 312, Deed Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set for corner in the East line of John W. Elliot Drive (a called 60 foot R.O.W.), said corner also being the Northwest corner of said Mahard tract, said corner being on the extension of the North line of said Block 108;

THENCE South 79 degrees 40 minutes 03 seconds East, departing the East line of said John W. Elliot Drive and along the North line of said Block 108, passing at a distance of 30.00 feet the called Northwest corner of said Block 108, and continuing in all a distance of 332.31 feet to the Northeast corner of said Block 108 and in a remaining West line of a railroad tract as described by deed in Volume 295, Page 500, Deed Records, Collin County, Texas;

THENCE South 10 degrees 13 minutes 08 seconds West departing the North line of said Block of 108 and along the East line of said Block 108, a distance of 293.27 feet to a 5/8 inch iron rod set for corner at the Northeast corner of a 10 foot easement to the State of Texas as recorded in Volume 280, Page 645, Deed Records, Collin County, Texas;

THENCE North 79 degrees 49 minutes 46 seconds west along the North line of said 10 foot easement, a distance of 147.38 feet to a 5/8 inch iron rod set for corner at the Southeast corner of a right of way dedication along the new North line of Main Street (a called 80 foot R.O.W. at this point) to the City of Frisco as recorded by deed in Volume 5684, Page 3508, Deed Records, Collin County, Texas;

THENCE North 34 degrees 49 minutes 46 seconds West, along said new North line of Main Street, a distance of 25.46 feet to a 5/8 inch iron rod set for corner;

THENCE North 79 degrees 49 minutes 46 seconds West, continuing along said North line, a distance of 160.48 feet to a 5/8 inch iron rod set for corner at the Southeast corner of a corner clip at the intersection of said North line of Main Street with the aforementioned East line of John W. Elliot Drive;

THENCE North 34 degrees 49 minutes 46 seconds West, along said corner clip, a distance of 9.90 feet to a 5/8 inch iron rod set for corner in the said East line of John W. Elliot Drive;

THENCE North 10 degrees 20 minutes 25 seconds East, along said East line, a distance of 269.21 feet to the POINT OF BEGINNING and containing 94,502 square feet or 2.170 acres of land, more or less.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 2**

BEING all that certain tract of land situated in the James Bolin Survey, Abstract No. 31, and in the W.B. Watkins Survey, Abstract No. 1004, and being all that tract conveyed to Mahard Feed Mill, Inc., by deed recorded in Volume 4727, Page 1168, Deed Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set for corner in the occupied North line of Main Street (a variable width R.O.W.), said corner being the Southwest corner of said Mahard tract and the Southeast corner of the remaining Railroad tract as conveyed to Red River, Texas & Southern Railway Company as recorded in Volume 295, Page 500, Deed Records, Collin County, Texas, said corner being 8.50 feet perpendicular and parallel East of the existing most Westerly Industry Tract centerline;

THENCE North 10 degrees 31 minutes 22 seconds East, departing said North line and along the common line between said Mahard and Railroad tracts and 8.50 East of said centerline tracts, a distance of 200.00 feet to a 5/8 inch iron rod set for corner;

THENCE South 79 degrees 46 minutes 52 seconds East, departing said parallel track line and continuing along said common line, a distance of 102.45 feet to a 5/8 inch iron rod set for corner;

THENCE South 10 degrees 13 minutes 08 seconds West, continuing along said common line, a distance of 140.00 feet to 5/8 inch iron rod set for corner;

THENCE South 29 degrees 32 minutes 03 seconds West, continuing along said common line, a distance of 63.49 feet to a 5/8 inch iron rod set for corner in the aforementioned occupied North line of Main Street;

THENCE North 79 degrees 49 minutes 46 seconds West, along said North line, a distance of 82.51 feet to the POINT OF BEGINNING and containing 19,960 square feet or 0.458 acres of land, more or less.

NOTE: THE COMPANY DOES NOT REPRESENT THAT THE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 3**

BEING all that certain tract or parcel of land lying and being situated in COLLIN County, Texas, being out of and a part of Block 107 of the Original Donation to the City of Frisco according to the Plat thereof recorded in Volume 113, Page 74 of the Deed Records of COLLIN County, said tract or parcel of land being and including all that same tract described in a deed from Frisco Equipment and Automotive Services, Inc., to Harold D. Shepherd and wife, Elnora J. Shepherd, recorded in Volume 1711, Page 400 of the Land Records of COLLIN County, said tract or parcel of land is herein described as follows, to-wit:

BEGINNING at an ½ inch iron rod set on the West line of the Burlington Northern and Santa Fe Railroad right-of-way at the Southwest corner of said Block 107;

THENCE North 77 degrees 50 minutes 00 seconds West 300.00 feet to a ½ inch iron rod set at the Southwest corner of said Block 107;

THENCE along the East line of John W. Elliot Drive, North 12 degrees 10 minutes 00 seconds East 290.00 feet to a spike set on the south right-of-way line of F.M. Highway Number 720 for the Northwest corner hereof;

THENCE along the South right-of-way line of said F.M. Highway Number 720, South 77 degrees 50 minutes 00 seconds East 100.00 feet to a 5/8 inch iron rod set for corner;

THENCE along a common boundary between the herein described premises and a tract described in a deed to Sutton Enterprises, L.C., recorded under COLLIN County Clerk's File Number 96-0106843, South 12 degrees 10 minutes 00 seconds West 81.32 feet to a ½ inch iron rod set for corner;

THENCE South 78 degrees 00 minutes 14 seconds East 61.81 feet to a ½ inch iron rod found at the Southeast corner of said Sutton Enterprises tract;

THENCE South 78 degrees 15 minutes 08 seconds East 138.19 feet to a ½ inch iron rod set on the West line of said Railroad right-of-way, said corner being the Southeast corner of a tract described in a deed to Mary Thatcher Christie recorded under COLLIN County Clerk's File Number 95-0011327;

THENCE South 12 degrees 10 minutes 00 seconds West a distance of 210.00 feet to the PLACE OF BEGINNING and CONTAINING 1.6267 acres of land, more or less.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 4**

BEING a 1.5277 acre tract of land and being a portion of the Burlington Northern and Santa Fe Railway Company's (formerly St. Louis-San Francisco Railway Company) 300.0 foot wide Station Ground property at Frisco, Texas, situated in the W.B. Walkins Survey in Collin County, Texas, and being a portion of the same property conveyed to Greensmith's, Inc. by deed recorded in Volume 04667, Page 01367 in the Deed Records, Collin County, Texas, being more particularly described by metes and bounds:

BEGINNING at a 60d nail set at the apparent right-of-way for corner at the Easterly extension of the southerly line of Main Street, (80 foot right-of-way), formerly Oak Street, 8.5 feet normally distance Easterly from said Greensmith's, Inc. Tract centerline, as now located and constructed, said point being 20 feet, more or less, Easterly of the Northeast corner of Block 107 in the City of Frisco;

THENCE North 45 degrees 05 minutes 11 seconds East, a distance of 10.00 feet normally distant Easterly from said Industry Track centerline to a point for corner in said apparent right-of-way;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 122.00 feet to a point for corner at 8.5 feet normally distant Westerly from the Railway Company's old House Track centerline;

THENCE South 47 degrees 35 minutes 47 seconds West, parallel with and 8.5 feet normally distant Westerly from, passing a 60d nail found at apparent right-of-way for witness, at a distance of 10.00 feet and continuing a total distance of 176.77 feet to a 5/8 inch iron rod set;

THENCE South 45 degrees 10 minutes 29 seconds West, continuing parallel with and 8.5 feet normally distant Westerly from a distance of 294.78 feet to a 5/8 inch set;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 30.58 feet to a 5/8 inch iron rod set on a line parallel with and 100.00 feet normally distant Westerly of the Greensmith's, Inc. Main Tract centerline, as now located and constructed, said 5/8 inch iron rod set is at the beginning of a non-tangent curve to the right having a central angle of 01 degree 46 minutes 52 seconds, a radius of 5629.58 feet and a chord bearing and distance of South 45 degrees 39 minutes 21 seconds West, 175.00 feet;

THENCE along said line parallel with and 100.00 feet normally distant Westerly of the Main Track centerline, an arc distance of 175.01 feet to a 5/8 inch iron rod set;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 47.18 feet to a 5/8 inch iron rod set at 8.5 feet normally distant Easterly from said Greensmith's, Inc. most westerly Industry Track centerline, said 5/8 inch iron rod being at the beginning of a non-tangent curve to the right having a central angle of 11 degrees 28 minutes 52 seconds, a radius of 581.77 feet and a chord bearing and distance of North 31 degrees 28 minutes 21 seconds East, 116.38 feet;

THENCE along said parallel line 8.5 feet normally distant Easterly from said Greensmith's, Inc. most westerly Industry Track centerline as follows:

Around said curve to the right, an arc distance of 116.58 feet to a 5/8 inch iron rod found;

North 37 degrees 12 minutes 47 seconds East, a distance of 8.53 feet to a 5/8 inch iron rod set;

North 40 degrees 16 minutes 06 seconds East, a distance of 1.68 feet to a 5/8 inch iron rod set at the beginning of a curve to the right having a central angle of 04 degrees 49 minutes 05 seconds, a radius of 1585.10 feet and a chord bearing and distance of North 42 degrees 40 minutes 38 seconds East, 133.25 feet;

Around said curve to the right, an arc distance of 133.29 feet to a 5/8 inch iron rod set;

THENCE North 45 degrees 05 minutes 11 seconds East, a distance of 379.93 feet to the POINT OF BEGINNING and containing 66,547.46 square feet or 1.5277 acres of land, more or less.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 5**

BEING a 2.0566 acre parcel of land in the W.B. Watkins Survey, Abstract No. 104, Collin County, Texas, and located in the corporate limits of the City of Frisco, Texas and being all of Block 101 of the Old Donation to the City of Frisco recorded in Volume 113, Page 74 of the Collin County Deed Records and being the same land as conveyed to Texas Industries, Inc., in special warranty deed dated June 10, 1994 and recorded under Film Code No. 94-0055885 of the Collin County Deed Records and said parcel being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found at the Northeast corner of Block 101 at the intersection to the South line of Original Main Street (80.0 feet wide) with the West right-of-way line of the St. Louis and San Francisco Railroad; 200.0 feet West of the centerline of said railroad;

THENCE South 12 degrees 34 minutes 00 seconds West, along the West line of said railroad for a distance of 300.10 feet (call 300.01) to the Southeast corner of Block 101 to an "X" found on concrete in the North line of Elm Street (60.0 feet wide);

THENCE North 77 degrees 59 minutes 51 seconds West (call North 78 deg. 00 min. 00 sec. West) along the South line of said Block 101 and the North line of Elm Street for a distance of 297.02 feet (call 297.00 feet) to the Southwest corner of said Block 102, an "X" found in the East line of John W. Elliot Drive (formerly Eighth Street) (60.0 feet wide);

THENCE North 11 degrees 58 minutes 59 seconds East (call North 12 deg. 00 min. sec. East) along the West line of Block 101 and the East line of John W. Elliot Drive (formerly Eighth Street); for a distance of 300.04 feet (call 300.00 feet) to an "X" found on concrete at the Northwest corner of Block 101;

THENCE South 78 degrees 00 minutes 18 seconds East (call South 78 deg. 00 min. 00 sec. East) along the North line of Block 101 and the South line of Original Main Street for a distance of 300.09 feet (call 299.97 feet) to the PLACE OF BEGINNING and containing 2.0566 acres of land, more or less.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 6**

BEING part of Block 102, of the Town of Frisco, Collin County, Texas according to the plat thereof recorded in the office of the County Clerk of Collin County, Texas, and being more fully described as follows:

BEGINNING at the Northwest corner of Block 102;

THENCE South 90 feet;

THENCE East 60 feet;

THENCE North 90 feet;

THENCE West 60 feet;

Said tract being a lot 90' x 60' in the Northwest corner of Block 102.



**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 7**

SITUATED in the State of Texas, County of Collin, and City of Frisco, being part of Block 102 of the City of Frisco according to the plat filed in Volume 113, Page 74 of the Collin County Land Records, being Tract One and Tract Two as recorded in Volume 4411, Page 1165 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a ½ inch iron rod found in the north right-of-way line of Pecan Street marking the southwest corner of said Tract Two and the southeast corner of Lot 2A, Block 102 as recorded under County Clerk No. 95-0033462 of the Collin County Land Records;

THENCE with the west line of said Tract Two, the east line of said Lot 2A and the west line of said Tract One, North 12 degrees 00 minutes 00 seconds East, 131.95 feet to a Roome capped iron rod set marking the northwest corner of Tract One and the southwest corner of an unknown tract of land, from which a 1 inch iron pipe found for reference bears North 12 degrees 00 minutes 00 seconds East, 0.70 feet;

THENCE with the north line of Tract One and the south line of said unknown tract, South 78 degrees 00 minutes 00 seconds East 150.00 feet to a Roome capped iron rod set in the east line of Block 102, the west right-of-way line of a St. Louis & Santa Fe Railroad marking the northeast corner of said Tract One and the southeast corner of said unknown tract;

THENCE with the east line of Block 102, the east line of Tract One and Tract Two, and the west right-of-way line of said railroad, South 12 degrees 51 minutes 50 seconds West 131.96 feet to a Roome capped iron rod set marking the southeast corner of Block 102, the southeast corner of Tract Two and the intersection of the west right-of-way line of said railroad with the north right-of-way line of Pecan Street:

THENCE with the south line of Block 102, the south line of Tract Two and the north right-of-way line of Pecan Street, North 78 degrees 00 minutes 00 seconds West, 148 feet to the point of beginning and containing 19,660 square feet or 0.45 acre of land.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 8**

Being a 5.460 acre tract of land situated in the W.T. WATKINS SURVEY, ABSTRACT NO. 1004, City of Frisco, Collin County, Texas and being part of a tract of land conveyed to Red River, Texas and Southern Ry. Co. (predecessor to The Burlington Northern and Santa Fe Railway Company) by deed recorded in Volume 295, Page 500, of the Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a capped 1/2" iron rod found located in the west line of said Red River, Texas and Southern Ry. Co. tract, said iron rod also located at the southeast corner of a tract of land conveyed to Frisco Square by deed recorded in County Clerk File #2000-0081361, Deed Records Collin County, Texas, and said point also being in the center of Platinum Parkway (80' R.O.W.);

THENCE N 19° 00'34"E, passing at a distance of 42.30 feet, a 1/2" capped iron rod, and continuing along the west line of said Red River, Texas and Southern Ry. Co. tract, a total distance of 1543.22 feet to a 1/2" iron rod set for corner and the beginning of a curve to the left, having a central angle of 02° 34'42", a radius of 5560.97 feet, and a chord which bears N 16° 25'12"E, a distance of 250.22 feet;

THENCE northeasterly along said curve to the left, an arc distance of 250.24 feet, to a 3/8" iron rod found for corner, said point also being the northeast corner of a tract of land conveyed to William Ty O'Neil by deed recorded in County Clerk File #99-0105455, Deed Records Collin County, Texas and located in the south line of Elm Street (a 60' R.O.W.);

THENCE S 77° 43'16"E, along the south line of said Elm Street, a distance of 74.48 feet, to a 1/2" iron rod set for corner;

THENCE S 09° 32'28"E, departing the south line of said Elm Street, a distance of 133.91 feet, to a 1/2" iron rod set for corner and the beginning of a curve to the right, having a central angle of 13° 59'24", a radius of 526.84 feet, and a chord which bears S 02° 33'03"E, a distance of 128.32 feet;

THENCE, southeasterly along said curve to the right, an arc distance of 128.64 feet, to a 1/2" iron rod set for corner, and also being in a non-tangent curve to the right, having a central angle of 07° 25'53", a radius of 5735.26 feet, and a chord which bears S 21° 14'50"W, a distance of 743.36 feet;

THENCE southwesterly along said curve to the right, an arc distance of 743.88 feet, to a 1/2" iron rod set for corner and end of said curve;

THENCE S 24° 57'29"W, a distance of 805.23 feet, to 1/2" iron rod set for corner, said point located in the extended centerline of said Platinum Parkway;

THENCE S 89° 53'53"W, along the said extended centerline of Platinum Parkway, a distance of 64.92 feet, to the POINT OF BEGINNING and containing 5.460 acres, or 237,860 square feet of land.

**Exhibit "A"**  
**PROPERTY DESCRIPTION**  
**TRACT 9**

BEING a 73,680 square feet or 1.6915 acre tract of land situated in the W.T. Watkins Survey, Abstract No. 1004, Frisco, Collin County, Texas and being Block 103 of the Town of Frisco according to the map recorded in Volume 113, Page 74, Deed Records of Collin County, Texas, said tract being part of a called 50.6 acre tract conveyed to John Elliot by deed recorded in Volume 374, Page 137, Deed Records of Collin County, Texas and being more particularly described as follows (the bearing basis for this survey was taken from the said deed):

BEGINNING at a set 1/2 inch iron rod for a corner at the intersection of the Southwesterly line of Pecan Street (a 60 foot right of way) with the Northwesterly line of the St. Louis, San Francisco and Texas Railway Company (a variable width right of way), said point being the Northeast corner of said Block 103 and the most Easterly Northeast corner of the said 50.6 acre tract;

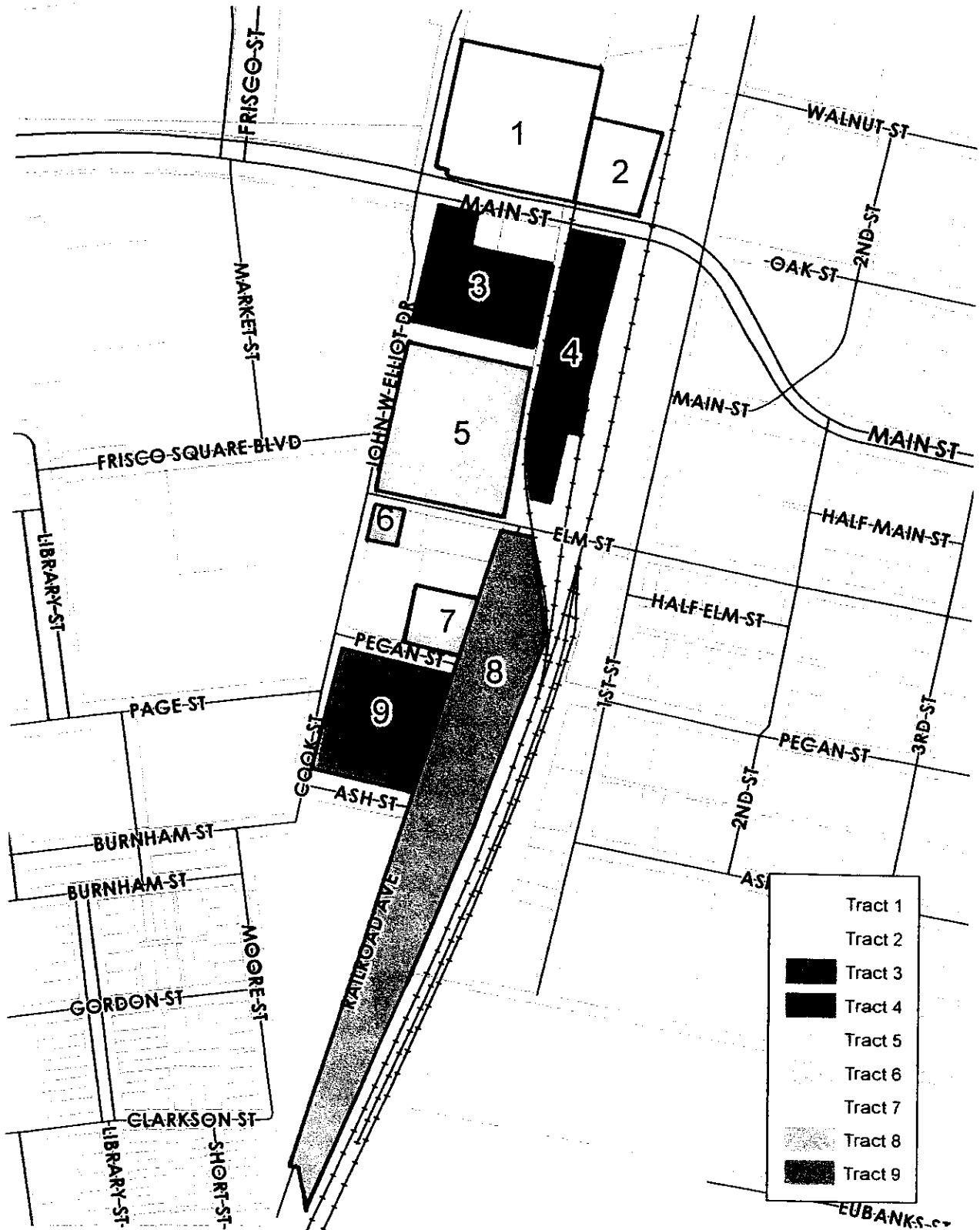
THENCE, South 18 degrees 45 minutes 00 seconds West, with the Northwesterly line of the St. Louis, San Francisco and Texas Railway Company, a distance of 302.09 feet to found 1/2 inch iron rod for a corner in the Northeasterly line of Ash Street (a 60 foot right of way), said point being the Southeast corner of said Block 103;

THENCE, North 78 degrees 00 minutes 00 seconds West, with the Northeasterly line of Ash Street, a distance of 227.63 feet to a found 3/8 inch iron rod for a corner, said point being at the intersection of the Northeasterly line of Ash Street with the Southeasterly line of Eighth Street (a 60 foot right of way) and said point being the Southwest corner of said Block 103;

THENCE, North 11 degrees 55 minutes 00 seconds East, with the Southeasterly line of Eighth Street, a distance of 300.00 feet to a set 1/2 inch iron rod for a corner at the intersection of the Southeasterly line of Eighth Street with the Southwesterly line of Pecan Street and said point being the Northwest corner of said Block 103;

THENCE, South 78 degrees 00 minutes 00 seconds East, with the Southwesterly line of Pecan Street, a distance of 263.57 feet to the POINT OF BEGINNING.

# Exhibit "A-1" Locator Map



**EXHIBIT "B" for Z06-0016  
STATEMENT OF INTENT AND PURPOSE**

The Heritage Association of Frisco Inc., in conjunction with the City of Frisco is developing Heritage Center. Located between the old Downtown area of Frisco and Frisco Square, the Center will tie the two together with the purpose of helping to preserve the rich heritage and history of Frisco and the Frisco area.

## **Exhibit "C"**

### **Development Standards**

The property shall develop under the provisions of the Original Town Commercial (OTC) zoning district as outlined in the Comprehensive Zoning Ordinance No. 00-11-01, as it currently exists or may be amended, subject to the following conditions:

#### **1. Building Materials**

Allowed building materials shall be approved by the Chief Building Official, or his/her designee, in conjunction with a façade plan. Façade Plans shall be reviewed and approved by the Director of Planning & Development Services or his/her designee.

#### **2. Signage**

Signage shall comply with the Sign Ordinance No. 06-10-109, as it currently exists or may be amended, subject to the following conditions:

- a. One roof sign is permitted for the entire Planned Development per City Council approval.

#### **3. Access**

Access to the site is provided by John W. Elliot Drive. Internal access will be provided by access drives serving as Public Ways. Access drives are to be treated as streetscapes with street trees planted at intervals of 35-feet on center.

#### **4. Landscaping**

The only landscaping required by this Ordinance is street trees planted along the access drives as outlined above.

#### **5. Parking**

- a. Original Town Commercial (OTC) parking standards shall apply to this Planned Development.
- b. Public parking available in Frisco Square shall also be utilized by this Planned Development.
- c. Uses requiring additional parking beyond what is available shall be subject to Planning & Zoning Commission approval in conjunction with a site plan.

#### **6. Miscellaneous**

- a. Sidewalk widths adjacent to the front facades of buildings shall be a minimum of 15-feet. Encroachments into the sidewalk for seating areas, tree wells, etc. shall be allowed, providing that a minimum six-foot clear path is provided for pedestrians. Sidewalks not adjacent to the front facades of buildings shall be a minimum of six-feet in width. Exceptions may be allowed with Planning & Zoning Commission approval provided that the pedestrian realm is preserved.
- b. Structures shall be fire sprinklered. The Fire Chief or his/her designee may approve an exemption.
- c. Street lights shall be of a similar style to those used in Frisco Square.
- d. Buildings shall be equally finished on all sides, unless otherwise approved by the Director of Planning & Development Services or his/her designee.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING SUBSECTION 3.02.01. (CONDITIONAL DEVELOPMENT STANDARDS) OF SECTION 3.02 (USE CHART) OF SECTION 3 (LAND USES); AMENDING SECTION 3.02 (USE CHART) OF SECTION 3 (LAND USES); AMENDING SUBSECTION 2.04.04(H)(3) (OTC – OTHER REGULATIONS) OF SUBSECTION 2.04.04 (OTC – ORIGINAL TOWN COMMERCIAL DISTRICT) OF SUBSECTION 2.04 (NONRESIDENTIAL ZONING DISTRICTS) OF SECTION 2 (ZONING DISTRICTS); AND AMENDING SUBSECTION 2.04.04(H)(5) (OTC – OTHER REGULATIONS) OF SUBSECTION 2.04.04 (OTC – ORIGINAL TOWN COMMERCIAL DISTRICT) OF SUBSECTION 2.04 (NONRESIDENTIAL ZONING DISTRICTS) OF SECTION 2 (ZONING DISTRICTS) THE CITY OF FRISCO’S ZONING ORDINANCE NO. 11-04-09, AS AMENDED; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”), has investigated and determined that Subsection 3.02.01 (Conditional Development Standards) of Section 3.02 (Use Chart) of Section 3 (Land Uses); Section 3.02. (Use Chart) of Section 3 (Land Uses); Subsection 2.04.04(H)(3) (OTC – Other Regulations) of Subsection 2.04.04 (OTC – Original Town Commercial District) of Subsection 2.04 (Nonresidential Zoning Districts) of Section 2 (Zoning Districts); and Subsection 2.04.04(H)(5) (OTC – Other Regulations) of Subsection 2.04.04 (OTC – Original Town Commercial District) of Subsection 2.04 (Nonresidential Zoning Districts) of Section 2 (Zoning Districts) of the City of Frisco, Texas (“Frisco”) Zoning Ordinance No. 11-04-09, as amended (“Zoning Ordinance”), should be amended regarding regulations relating to the Original Town Commercial District; and

WHEREAS, Frisco has complied with all notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Frisco to amend the Zoning Ordinance, as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:**

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Subsection 3.02.01. (Conditional Development Standards)



of Section 3.02 (Use Chart) of Section 3 (Land Uses) of Frisco’s Zoning Ordinance No. 11-04-09, as amended. Subsection 3.02.01. (Conditional Development Standards) of Section 3.02 (Use Chart) of Section 3 (Land Uses) of Frisco’s Zoning Ordinance No. 11-04-09, as amended, is hereby amended to establish a new Conditional Development Standard No. 36 (Single Family Residential, Detached and Townhome) as follows:

**“3.02.01. Conditional Development Standards**

...

**(36) Single Family Residential, Detached and Townhome**

Only allowed in the area known as OTC\* as described in Subsection 2.04.04(H)(5). A single family residential, detached structure must be constructed under the regulations of the Original Town Residential District.”

SECTION 3: Amendment to Subsection 3.02 (Use Chart) of Section 3 (Land Uses) of Frisco’s Zoning Ordinance No. 11-04-09, as amended. Subsection 3.02 (Use Chart) of Section 3 (Land Uses) of Frisco’s Zoning Ordinance No. 11-04-09, as amended, is hereby amended to designate the use known as “Single Family Residential, Detached” and “Townhome” as a use regulated by Conditional Development Standard No. 36 in the “OTC-Original Town Commercial District” as follows:

Use Type	O-1-Office-1 District	O-2-Office-2 District	R-Retail District	OTC- Original Town Commercial District	H – Highway District	C-1 – Commercial-1 District	C-2 – Commercial-2 District	IT – Information and Technology District	I – Industrial District
...									
Single Family Residence, Detached				(36)					
...									
Townhome				(36)					

...”

SECTION 4: Amendment to Subsection 2.04.04(H)(3) (OTC – Other Regulations) of Subsection 2.04.04 (OTC – Original Town Commercial District) of Subsection 2.04 (Nonresidential Zoning Districts) of Section 2 (Zoning Districts) of Frisco’s Zoning Ordinance No. 11-04-09, as amended. Subsection 2.04.04(H)(3) (OTC – Other Regulations) of Subsection 2.04.04 (OTC – Original Town Commercial District) of Subsection 2.04 (Nonresidential Zoning Districts) of Section 2 (Zoning Districts) of Frisco’s Zoning Ordinance No. 11-04-09, as

amended, is hereby amended by adding a new subsection (g) as follows:

**“Subsection 2.04.04. OTC – Original Town Commercial District**

...

**(H) OTC – Other Regulations**

...

**(3) Projections into a Required Setback or Beyond the Street Lot Line**

...

- g. Outdoor open patios shall be permitted to project into a public right-of-way for nonresidential uses provided that a six (6) foot wide, unobstructed and leveled sidewalk is maintained for pedestrian access and meets all ADA requirements. The property owner has assumed liability related to such projections and shall maintain such projections in a safe and non-injurious manner.

...”

SECTION 5: Amendment to Subsection 2.04.04(H)(5) (OTC – Other Regulations) of Subsection 2.04.04 (OTC – Original Town Commercial District) of Subsection 2.04 (Nonresidential Zoning Districts) of Section 2 (Zoning Districts) of Zoning Ordinance No. 11-04-09, as amended. Subsection 2.04.04(H)(5) (OTC – Other Regulations) of Subsection 2.04.04 (OTC – Original Town Commercial District) of Subsection 2.04 (Nonresidential Zoning Districts) of Section 2 (Zoning Districts) of Zoning Ordinance No. 11-04-09, as amended, is hereby amended as follows:

**“Subsection 2.04.04. OTC – Original Town Commercial District**

...

**(H) OTC – Other Regulations**

...

- (5) The area known as OTC\*, as more particularly depicted within the Downtown Architectural Design Standards, is delineated by the alley south of Elm Street to the north, 5<sup>th</sup> Street to the east (but excluding the lots on 5<sup>th</sup> Street), Ash Street to the south, and the BNSF Railroad to the west will have the following provision:
  - a. Redevelopment or infill development shall be two (2)

stories with residential on both floors or residential above and office/retail uses below. Existing structures would not be required to add a second story. If a structure is destroyed, it may be rebuilt as originally constructed with no usage change, otherwise structure must comply with redevelopment criteria.

..."

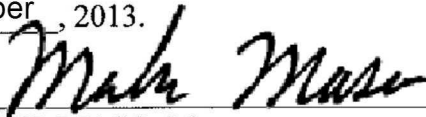
**SECTION 6: Savings/Repealing Clause.** Frisco's Zoning Ordinance No. 11-04-09 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinance shall remain in full force and effect.

**SECTION 7: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 8: Penalty Provision.** Any person, firm, corporation or entity violating this Ordinance or any provision of Frisco's Zoning Ordinance No. 11-04-09, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 9: Effective Date.** This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS** on this 3rd day of September, 2013.

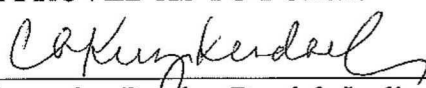
  
MAHER MASO, Mayor

**ATTESTED TO AND  
CORRECTLY RECORDED**

  
Jenny Page, City Secretary



**APPROVED AS TO FORM:**

  
Abernathy, Roeder, Boyd & Joplin, P.C.  
Courtney A. Kuykendall, City Attorneys

Dates of Publication: \_\_\_\_\_, Frisco Enterprise

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, REPEALING ORDINANCE NO. 11-07-23 AND AMENDING FRISCO'S ZONING ORDINANCE NO. 11-04-09, REZONING A TRACT OF LAND CONSISTING OF 146.1 ACRES OF LAND, MORE OR LESS, SITUATED IN THE W.B. WATKINS SURVEY, ABSTRACT NO. 1004, CITY OF FRISCO, COLLIN COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-153-MIXED USE (PD-153-MIXED USE) AND IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT-153-MIXED USE (PD-153-MIXED USE); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council"), has investigated and determined that Ordinance No. 11-07-23 should be repealed and Frisco Zoning Ordinance No. 11-04-09, as amended ("Zoning Ordinance"), should be amended; and

WHEREAS, the City of Frisco ("Applicant"), initiated a request to rezone 146.1 acres of land, more or less, situated in the W.B. Watkins Survey, Abstract No. 1004, City of Frisco, Collin County, Texas ("Frisco"), and being more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes ("Property"); and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to rezone this property as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:**

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Repeal of Frisco Ordinance No. 11-07-23. Frisco Ordinance No. 11-07-23 is repealed in its entirety and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance at which time Ordinance No. 11-07-23 shall be repealed. Such repeal shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance No. 11-07-23 occurring before the effective date of this Ordinance.

SECTION 3: Amendments to the Zoning Ordinance No. 11-04-09. The Zoning Ordinance is hereby amended as follows: The zoning designation of the below-described property containing 146.1 acres of land, more or less, situated in the W.B. Watkins Survey, Abstract No. 1004, City of Frisco, Collin County, Texas, and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned Planned Development-153-Mixed Use. The Property as a whole, and the boundaries are more particularly described in Exhibit “A”, attached hereto and incorporated herein for all purposes. The general location of the Property is depicted on Exhibit “A-1”, attached hereto and incorporated herein for all purposes.

The development plans, standards, uses and schedules for the Property shall conform to and comply with: the planned development standards attached hereto as Exhibit “B-1”; the use chart attached hereto as Exhibit “B-2”; the zoning exhibit attached hereto as Exhibit “C”; the height exhibit attached hereto as Exhibit “D”; the overhang projection exhibit attached hereto as Exhibit “E”; and the street section diagram exhibits attached here to as Exhibit “F”. Exhibits “B-1” through “F” attached hereto are incorporated herein for all purposes as if set forth verbatim.

Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

SECTION 4: No Vested Interest/Repeal. No developer or property owner shall acquire

any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

**SECTION 5: Unlawful Use of Premises.** It shall be unlawful for any person, firm, entity or corporation to make use said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on said premises any building that is not in conformity with the permissible uses under this zoning Ordinance.

**SECTION 6: Penalty.** Any person, firm, corporation or entity violating this Ordinance or any provision of the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state, and federal law.

**SECTION 7: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid

**SECTION 8: Savings/Repealing Clause.** The Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall

remain in full force and effect.

SECTION 9: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS** on this 3<sup>rd</sup> day of December, 2013


  
MAHER MASO, Mayor

**ATTESTED TO AND  
CORRECTLY RECORDED**

  
Jimmy Page, City Secretary



**APPROVED AS TO FORM:**

  
Abernathy Roeder Boyd & Joplin P.C.  
Courtney Kuykendall, City Attorneys

*Dates of Publication:* December 3rd and 13th, 2013, Frisco Enterprise

## Exhibit "A"

### METES AND BOUNDS DESCRIPTION 3 TRACTS - 146.1040 ACRES

#### TRACT 1

BEING a tract of land situated in the W. B. Watkins Survey Abstract No. 1004, in the City of Frisco, Collin County, Texas; said tract being all of a called 80.6766 acre tract of land conveyed to Frisco Square, LTD. as recorded in Collin County Clerk's File No. 2000-0081358 Deed Records Collin County, Texas (DRCCT), also being a part of a called 37.8235 acre tract of land conveyed to Frisco Square, LTD. as recorded in Collin County Clerk's File No. 2000-0081359 DRCCT, also being part of a called 24.7861 acre conveyance to Frisco Square, LTD. as recorded in Collin County Clerk's File No. 2000-0081361 DRCCT; also being a part of a 24.1549 acre conveyance to the City of Frisco as recorded in Collin County Clerk's File No. 2000-0081361 DRCCT; and being more particularly described as follows:

BEGINNING at an "X" found cut in concrete for corner at the intersection of the south line of Farm to Market Road No. 720 (FM 720) with the east line of Dallas North Tollway as recorded in C.C. #94-0048748 and C.C. #94-0083961 D.R.C.C.T.;

THENCE along the south line of said FM 720 with a circular curve to the left having a central angle of 03°28'55", a radius of 5769.61 feet, a tangent length of 175.36 feet, and a chord of North 87°26'46" East 350.57 feet, for an arc distance of 350.62 feet to a 1/2" iron rod set with "HAT" cap at said curve's point of tangency;

THENCE North 85°44'20" East, continuing along said south line, for a distance of 8.67 feet to a 5/8" iron rod found for corner;

THENCE North 86°07'47" East, continuing along said south line, passing at 1405.72 ft. a 5/8" iron rod, and continuing along said south line for a total distance of 1535.41 ft. to a 1/2" iron rod with "HAT" cap set for corner and for the beginning of a circular curve to the right;

THENCE continuing along said south line with said circular curve to the right having a central angle of 15°46'18", a radius of 2632.02 ft., a tangent length of 364.56 ft., and a chord of South 85°59'04" East 722.22 ft., for an arc distance of 724.50 ft. to a 5/8" iron rod found for corner at said curve's point of tangency;

THENCE South 78°05'56" East, continuing along said south line, for a distance of 162.26 ft. to a 1/2" iron rod with "HAT" cap set for corner at the intersection of said south line with the west line of John Elliot Drive (a 60 ft. right-of-way);

THENCE South 12°16'44" West, along said west line, for a distance of 1450.00 ft. to a 1/2" iron rod with "HAT" cap set for corner at the intersection of said west line with the south line of Ash Street (a 60 ft. right-of-way);

THENCE South 77°43'16" East, along said south line, for a distance of 281.14 ft. to a 1/2" iron rod with "HAT" cap set for corner on the west line of the Burlington Northern Railroad (a variable width right-of-way)

THENCE South 19°00'34" West, along said west line, for a distance of 1069.38 ft. to a 1/2" iron rod found for corner;

THENCE South 89°53'53" West, departing said west line, for a distance of 2110.24 ft. to a 1/2" iron rod found for corner on the east line of said Dallas North Tollway, said point being the beginning of a circular curve to the left;

THENCE along said east line in a northerly direction, with said circular curve to the left having a central angle of 03°47'54", a radius of 3014.79 ft., a tangent length of 99.96 ft., and a chord of North 04°42'20" West 199.82 ft., for an arc distance of 199.85 ft., to a 1/2" iron rod found for corner at said curve's point of tangency;

THENCE North 06°36'16" West, continuing along said east line, for a distance of 2271.72 ft. to the POINT OF BEGINNING and containing 142.4215 acres (6,203,882 sq. ft.) of land.

#### TRACT 2

BEING a tract of land situated in the W. B. Watkins Survey Abstract No. 1004, in the City of Frisco, Collin County, Texas;



said tract being all of a called 2.0566 acre tract described as Tract II, as conveyed to Frisco Square Ltd., as recorded in Collin County Clerk's File No. 2000-0081361 DRCCT, and being more particularly described as follows:

**BEGINNING** at an "X" found cut in concrete at the intersection of the east line of John Elliot Drive (a 80 ft. right-of-way) with the south line of Main Street (an 80 ft. right-of-way);

**THENCE** South 77°42'33" East, along said south line, for a distance of 300.08 ft. to a 1/2" iron rod with "HAT" cap set for corner on the west line of the Burlington Northern Railroad (a variable width right-of-way);

**THENCE** South 12°51'45" West, along said west line, for a distance of 300.09 ft. to a 1/2" iron with "HAT" cap set for corner at the intersection of said west line with the north line of Elm Street (a 60 ft. right-of-way);

**THENCE** North 77°42'06" West, along said north line, for a distance of 297.02 ft. to a 1/2" iron rod with "HAT" cap set for corner at the intersection of said north line with the east line of said John Elliot Drive;

**THENCE** North 12°16'44" East, along said east line, for a distance of 300.04 ft. to the POINT OF BEGINNING and containing 2.0565 acres (89,582 sq. ft.) of land.

### TRACT 3

**BEING** a tract of land situated in the W. B. Watkins Survey Abstract No. 1004, in the City of Frisco, Collin County, Texas; said tract being all of a called 1.6267 acre tract described as Tract III, as conveyed to Frisco Square Ltd., as recorded in Collin County Clerk's File No. 2000-0081361 DRCCT, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with "HAT" cap set for corner at the intersection of the east line of John Elliot Drive (a 60 ft. right-of-way) with the south line of Farm To Market Road No. 720 (FM 720 - an 80 ft. right-of-way);

**THENCE** South 78°05'56" East, along said south line, for a distance of 100.00 ft. to a 1/2" iron rod with "HAT" cap set for corner at the northeast corner of said Tract III, and the northwest corner of a tract conveyed to Sutton Enterprises, L.C. as recorded in Collin County Clerk's File No. 96-0106843 DRCCT;

**THENCE** South 12°16'44" West, departing said south line and along the common line of said Tract III and said Sutton Enterprises, for a distance of 81.56 ft. to a 1/2" iron rod with "HAT" cap set for corner;

**THENCE** South 77°53'30" East, continuing along said common line, for a distance of 61.81 ft. to a 1/2" iron rod with "HAT" cap set for corner;

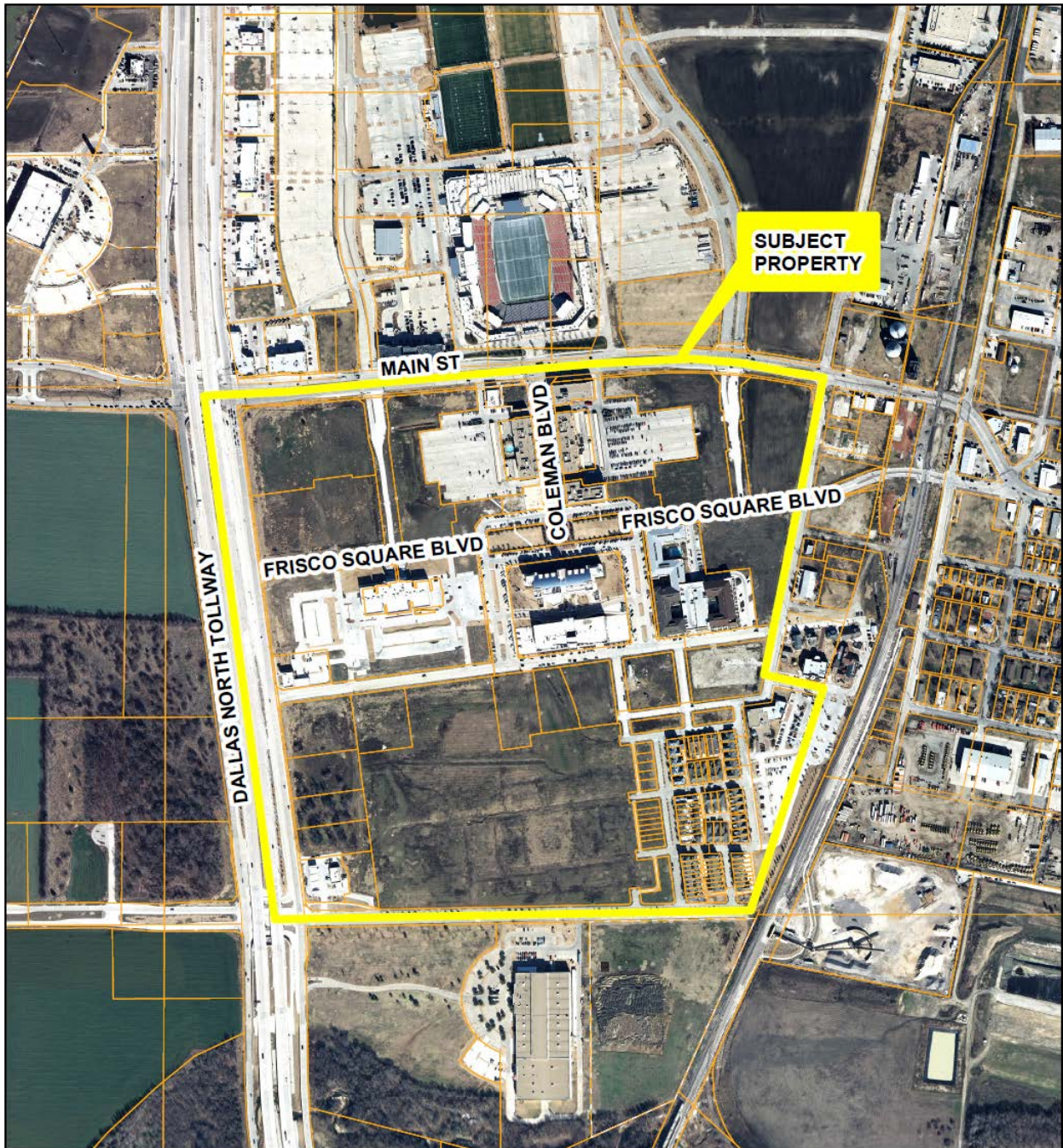
**THENCE** South 78°08'24" East, continuing along said common line, for a distance of 138.19 ft. to a 1/2" iron rod found corner at the intersection of said common line with the west line of the Burlington Northern Railroad (a variable width right-of-way);

**THENCE** South 12°16'44" West, along said west line, for a distance of 209.87 ft. to a 1/2" iron rod found for corner on the north line Main Street (an 80 ft. right-of-way);

**THENCE** North 77°43'16" West, departing said west line and along said north line, for a distance of 300.00 ft. to a 1/2" iron rod found for corner at the intersection of said north line with the east line of said John Elliot Drive;

**THENCE** North 12°16'44" East, along said east line, for a distance of 289.58 ft. to the POINT OF BEGINNING and containing 1.6260 acres (70,827 sq. ft.) of land.

**Exhibit "A-1"**  
**Location Map**



## **EXHIBIT “B-1”**

### **FRISCO SQUARE DEVELOPMENT STANDARDS**

#### **I. Application of Development Standards**

Because of the unique nature of this development and the vision for creating a vibrant, active, and pedestrian-oriented development, this Planned Development (PD) shall be the sole and exclusive land use and zoning document for the property located within this PD. Unless outlined in this Ordinance, the provisions of the Zoning Ordinance and Form Based Codes Manual shall apply as they exist or may be amended, unless otherwise approved by the Director of Development Services (“Director”).

#### **II. General Development Regulations**

##### **A. Permitted Uses**

1. Permitted Uses in the DT-1 District shall be as outlined in Ordinance No. 07-05-23 as it exists or may be amended.
2. Permitted Uses in the DT-2, DT-3, and DT-4 Districts shall be as outlined in the Frisco Square Use Chart, labeled herein as Exhibit B-2.

##### **B. General District Regulations**

1. Single Buildings shall be permitted to be built across District boundary lines provided that the portions built within each District do not exceed the requirements of that District.
2. Buildings in DT-1, DT-1a, DT-2, and DT-3 Districts shall be fully sprinkled in accordance with the requirements of NFPA-13 as it exists or may be amended at the time of construction.

##### **C. Building Heights**

1. Building heights shall be in accordance with the Building Heights exhibit, labeled herein as Exhibit D.
2. Civic buildings in DT-3 shall not exceed five (5) stories or seventy-five (75) feet in height.
3. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the building, including: spires, belfries, towers, cupolas, domes, and roof forms may not exceed:
  - Twenty-five percent (25%) of the footprint of the building;
  - Fifty percent (50%) of the permitted building height; and
  - The height of City Hall for buildings adjacent to Simpson Plaza.

4. For specific requirements, see District Development Regulations in Section IV.
5. Parking garages shall not exceed a height of sixty (60) feet. Parking garages located on the block interior may not exceed a height visible from an adjacent right-of-way.

#### **D. Building Separation**

1. When separations are provided between buildings, they shall be a minimum of ten (10) feet, except that:
  - a. Separations between single-family dwellings located in the DT-2, and DT-3 Districts that are fully sprinkled may have a separation of between ten (10) feet and six (6) feet in width, provided that a utility easement is not located within the separation.
  - b. When building separations are less than ten (10) feet in width, the following building projections are prohibited, except with the written approval of the Fire Chief or his/her designated representative:
    - Balconies
    - Canopies
    - Entrance Canopies
    - Bays and Oriels
    - Porches
    - Show Windows
2. For attached single-family housing, the maximum uninterrupted length of Street Façade without a building separation is three hundred (300) feet, unless otherwise approved in writing by the Fire Chief or his/her designee.

#### **E. Building Materials**

1. Primary Exterior Construction Materials shall be a minimum of eighty percent (80) of the façade area and shall consist of the following:
  - a. Clay-fired brick.
  - b. Natural stone.
  - c. Cast stone.
2. Secondary Exterior Construction Materials shall be used to accent primary exterior building materials, but shall not exceed twenty percent (20) of the façade area. Secondary Exterior Construction Materials shall include:
  - a. Tinted, textured, concrete masonry units (maximum fifteen percent (15%) per façade)
  - b. Tinted, split-faced concrete masonry units

- c. Aluminum or other metals
  - d. Stucco (three (3) step process)
  - e. Other materials, subject to Director approval
3. Building façades facing interior service areas shall consist of primary construction materials on the first three (3) floors only. Secondary building materials may be used on upper floors.
  4. Street Façade fenestration and details shall return along Alleys and Block Breaks a minimum of forty (40) feet unless the façade is adjacent to patio areas, open space, or any other type of gathering places, then the façade fenestration shall be extended the full length of the building that faces such area.
  5. Materials other than those listed above or intended for applications not indicated above may be used subject to approval by the Director.
  6. Prohibited Materials and Installations
    - a. Roll-up metal security doors in front of storefront.
    - b. Metal security gates (excluding decorative metal gates or fences).
    - c. Exterior-applied metal security bars.
    - d. Chain-link fencing.
    - e. Wood fencing.

#### **F. Projections into a Required Setback/beyond the Property Line**

1. The following projections shall be permitted in a required setback or beyond the Property line as conditioned by Section II.F.2 below:
  - a. Ordinary building projections (i.e. watercourses, sills, pilasters, etc.) may project up to twelve (12) inches into a required setback or beyond the Property line.
  - b. Projections above the first floor may project up to sixty (60) inches, with a minimum of seven-feet, six-inch (7'6") clearance above the adjacent grade (See Exhibit E). Repair and maintenance of these encroachments are the responsibility of the private property owner.
  - c. In the DT-2, DT-3, and DT-4 Districts, canopies, awnings, cinema or theater marquees, and/or kiosks may project from building face and may extend to, or be located within eight (8) inches of the back of curb. Any vertical supports anchored to the ground must be located at least four(4) feet from the back of curb. Repair and maintenance of these encroachments are the responsibility of the private property owner.
  - d. In DT-3 and DT-4 Districts, show windows at the first floor may project up to forty-two (42) inches, provided that there is clear pedestrian and landscape zones along the streetscape.
2. The projections identified in Section II.F.1 above are permitted in the public right-of-way provided that:



- a. No projection shall be permitted into a public right-of-way along Cotton Gin Road or the Dallas North Tollway.
- b. Projections do not extend over the portion of a roadway traveled by vehicles.
- c. The property owner has assumed liability related to such projections.
- d. The property owner shall maintain such projections in a safe and non-injurious manner.

## **G. Screening**

1. Screening of ground mounted utility structures shall be required. The type of screening shall be determined at the time of Preliminary Site Plan and Site Plan approval.

## **H. Street and Intersection Requirements**

1. Adequate sight distance shall be provided at all intersections through the use of appropriate traffic control devices as set forth herein. Visibility triangles for vehicles exiting the development for both public streets and private drives shall be provided at intersections with Main Street, Cotton Gin Road, or the Dallas North Tollway. These visibility triangles shall be the triangle created by connecting a point which is ten (10) feet into the site along the right-of-way at the intersection and a point extending away from the intersection a distance of forty (40) feet along the existing roadway right-of-way line.
2. Maximum of two (2) driveways per block face. Additional driveways may be allowed subject to Director approval.
3. No off-street parking is required for residential dwellings (excluding apartments) located on Corner Lots or Key Lots.
4. Street cross-sections and street radiuses shall be as shown on the Street Section Diagrams attached herein as Exhibit F.

## **I. Site Plan Requirements**

Prior to issuance of a building permit in the DT-2, DT-3, and DT-4 Districts, a site plan shall be approved by the Director. Appeals of the Director's decision shall be subject to Section 6.19 – Appeals and the Appeal Process of the Zoning Ordinance.

## **III. Parking & Loading Requirements**

### **A. Surface Parking**

1. Surface parking lots may be built within the building footprint of future buildings, providing that:

- In no case shall any paved portion of the lot, parking spaces, or drive aisles be closer than the front of the existing or proposed building.
2. Surface parking lots may be covered with canopy structures.
  3. Temporary surface parking may be allowed subject to approval by the Director.

## **B. Parking Garages**

1. Parking garages or portions of buildings with above grade structured parking shall be located at the interior of blocks such that buildings erected at the block perimeter shall screen views of a parking deck from Frisco Square Boulevard, Coleman Boulevard, John Elliott Drive, or World Cup Way.
2. Parking garages or portions of buildings with above grade structured parking may be located adjacent to public streets not listed above, subject to:
  - a. Architectural treatments that match adjacent buildings and/or other buildings on the same block;
  - b. Brick or stone veneer on portions of the garage visible from a public street; and
  - c. Decorative grates on openings.

## **C. Street Parking**

1. Street parking is permitted as shown in the Zoning Exhibit and Street Sections.
2. Street parking shall count toward the total number of parking spaces required.
3. The City may stripe the street as a fire lane should parking interfere with emergency access without limiting other safety requirements deemed necessary by the City.

## **D. General Parking Requirements**

1. Required parking in the DT-1, DT-1a DT-2, and DT-3 Districts for the following uses shall be determined as follows:

<b>Use</b>	<b>1 parking space per:</b>
Office	450-square feet
Retail	300-square feet
Restaurant	150-square feet

Cinema	4.5 seats
Library	450-square feet
Church	4.5 seats
Apartments	
One Bedroom	One space per apartment unit
Two Bedroom	1.8 spaces per apartment unit

- a. For any uses not listed above, the required number of parking spaces shall be fifty percent (50%) of the amount required by the Zoning Ordinance.
  - b. Solely for the purposes of calculating the number of required parking spaces, the following uses shall not exceed the indicated maximum square footages until a new shared parking study has been conducted by the property owner(s) and approved by the Director.
    - Retail: six-hundred ninety-five thousand (695,000) square-feet, of which, not more than one-hundred twenty-six thousand five hundred eighty-five (126,585) square-feet may be for restaurant uses.
  - c. A maximum of one (1) church located at the corner of Church Street and Page Street may utilize public parking garages as required parking. Events at the church must not interfere with events at City Hall such as regularly scheduled City Council or Board/Commission meetings, or other special called meetings. The church is required to enter into a parking agreement with the City.
2. Required parking for non-apartment building residential uses in the DT-1, DT-1a, DT-2, and DT-3 Districts shall be calculated as follows:
    - a. For townhouses, duplexes, zero lot line dwellings, and single-family dwellings, the required number of spaces shall be as follows and shall be located on the same lot as the dwelling:
      - Less than one thousand six hundred (1,600) square-feet\*: One (1) space
      - Equal to or greater than one thousand six hundred (1,600) square-feet\*: Two (2) spaces.

\* Area of air conditioned living space
    - b. Required parking for dwellings on corner lots and key lots as well as accessory uses may be provided for as street parking.
  3. Required parking in the DT-4 District shall be determined in accordance with the Zoning Ordinance.



4. Required residential parking cannot be part of any shared parking agreement.

#### **E. General Loading Requirements**

1. The dimension of required loading spaces shall be as follows:
  - a. 10' x 25' Regular Size Space
  - b. 10' x 50' Large Size Space
2. Loading spaces shall be located within the interiors of blocks or along the edge of any alley, vehicular block break, or private drive provided they are oriented parallel to the curb and do not block vehicular or fire truck access.
3. Loading spaces may be placed end-to-end so that two (2) regular size spaces may be located within a 10' x 50' rectangle. Such space may be considered a large space for the schedule below.
4. The calculation of the minimum number of off-street loading spaces shall be in conformance with the following schedule and rules regarding shared spaces:

<b>Use</b>	<b>Size</b>	<b>Number of spaces</b>
Office	0 – 49,999 square-feet 50,000 – 149,999 square-feet 150,000 – 249,999 square-feet 250,000 + square-feet	0 spaces 1 regular space 2 regular spaces 3 regular spaces
Retail	0 – 9,999 square-feet 10,000 – 49,999 square-feet 50,000 – 99,999 square-feet 100,000 + square-feet	0 spaces 1 regular space 1 regular and 1 large space 2 large spaces
Restaurant	0 – 9,999 square-feet 10,000 + square-feet	0 spaces 1 regular space
Hotel	0 – 49 rooms 50 – 199 rooms 200 + rooms	0 spaces 1 regular space 2 regular spaces
Multi-family, Retirement Homes, Assisted Living Facilities and/or Nursing Homes	0 – 49 units or rooms 50 + units or rooms	0 spaces 1 regular space
Theater/Cinema	0 – 499 seats 500 + seats	0 spaces 1 regular space

*\* The loading requirement for multiple tenants that are each 10,000 square-feet or larger may be combined within a single building and treated as a single tenant.*

- a. In DT-3 District, within any given block, a minimum of one (1) regular loading space shall be provided for every fifty thousand (50,000)

- square-feet of retail. Fractions of a space that are one-half (1/2) or greater shall count as a full space.
- b. Multifamily housing, retirement homes, assisted living facilities and/or nursing homes may locate some or all of the required loading spaces in loading zone(s) along the curb at the entrance to the building, which must be available for loading purposes from 9AM to 4PM, Monday through Friday.
5. Loading spaces that are adjacent and accessible to several buildings or tenant spaces, including buildings and tenant spaces on separate lots, shall be allowed to suffice for the loading requirements for the individual buildings or tenants provided that:
- a. The number of spaces satisfies the requirements for the combined square footages for the buildings or tenants in question, and
  - b. For loading spaces to be shared among separate lots, an agreement evidencing the right of tenants to the use of such spaces shall be provided.

#### **IV. District Development Regulations**

##### **A. DT-1 Neighborhood District**

The DT-1 Neighborhood District shall develop in accordance with Ordinance No. 07-05-23, as it exists or may be amended.

The DT-1a Neighborhood District shall develop in accordance with the following standards:

- 1. Permitted Uses
  - a. Townhome
  - b. Condominium
  - c. Duplex
  - d. Zero Lot Line Home (Patio Home)
  - e. Single Family Dwelling
  - f. Bed & Breakfast
  - g. Incidental Non-Residential Use
  - h. Model Home
  - i. Home Occupation
  - j. Live/Work Units
  - k. Private Park/Recreation Facility
  - l. Private Utilities
  - m. All Local Utilities
  - n. Public Park or Playground
  - o. Gazebo, Bandstand, or similar open-air structure
  - p. Temporary Field Construction Offices

2. Accessory Uses/Buildings
  - a. English Basement Office or Apartment Rental Units
  - b. Basement Office
  - c. In-home day care (not to exceed six children per day)
  - d. Attached/detached private garage
  - e. Second story Garage Office
  - f. Second Story Garage Apartments
3. Building Heights
  - a. Buildings shall not exceed 3 ½ stories or forty-nine (49) feet in height
  - b. Portions of buildings fronting any public square shall be no less than two (2) stories in height
  - c. Portions of buildings fronting Burnham Street shall be no less than two (2) stories in height
  - d. Portions of buildings fronting Library Street shall be no less than two (2) stories in height
4. Setbacks
  - a. Buildings shall be setback between five (5) and twenty feet (20) from the property line
  - b. Each block face shall have a uniform setback
  - c. The street facades of buildings located on corner lots or key lots shall abide by the setback established by each respective street.
  - d. A porch or stoop is required at all residential entrances.
5. Lot Coverage
  - a. The minimum lot size is one thousand three hundred (1,300) square feet
  - b. Maximum lot size is six thousand (6,000) square feet, except corner lots and key lots
  - c. Minimum lot width is sixteen (16) feet
  - d. Maximum lot width is fifty-five (55) feet, except corner lots or key lots
  - e. Maximum lot coverage shall not exceed ninety percent (90%), including accessory buildings
  - f. A side yard, if provided, must be a minimum of five (5) feet, and is only allowed on one (1) side of the lot. Side yards are not required.
6. Parking Requirements – See Section III above.

## **B. DT-2 Central District**

1. Property lines and Setbacks
  - a. Buildings shall be setback between five (5) feet and twenty (20) feet from the property line.

- b. A uniform setback that is a minimum of five (5) feet and a maximum of twenty (20) feet shall be maintained along the south side of Burnham Street.
  - c. With Director approval, a building setback may be increased from the property line to provide a wider pedestrian area than required, if it is determined a benefit to the public realm (i.e. outdoor areas accessible to the public). Parking and drive aisles are prohibited in the increased building setback area.
- 2. Maximum Lot Coverage – one hundred percent (100%)
- 3. Parking Requirements
  - a. For any use in the District, the required number of parking spaces shall be satisfied by provided parking that is located within the block in which a use is located or within an adjacent block.
  - b. Parking requirements of the District as a whole must be met by provided parking within the District or excess parking within the DT-3 District. A parking plan must be approved by the Director.

### **C. DT-3 Town Center Commercial District**

#### **1. Permitted Uses**

Along Frisco Square Boulevard and Coleman Boulevard, non-residential uses are required on the first floor of all buildings, except as noted below.

- a. Residential uses may be allowed on the first floor along Frisco Square Boulevard, east of World Cup Way, in Compliance with the Zoning Ordinances' Form Based Code Manual LU-2 and B-5.

#### **2. Property Lines and Setbacks**

- a. The allowable setback along Main Street shall be a twenty (20) foot build-to line measured from the back of curb at ultimate build-out of the street.
- b. The allowable setback along internal streets shall be a fifteen (15) foot build-to line measured from the back of curb.
- c. With Director approval, a building setback may be increased from the property line to provide a wider pedestrian area than required, if it is determined a benefit to the public realm (i.e. outdoor areas accessible to the public). Parking and drive aisles are prohibited in the increased building setback area.
- d. Single or multistory porch structures which extend to grade may project up to eight (8) feet beyond the property line, provided that a license or agreement for an aerial encroachment is approved by the Director of Engineering Services.

- e. A church located at the intersection of Page Street and Church Street shall not be required to maintain a constant setback, however, a minimum setback of five-feet from any property line shall be provided.

### 3. Parking Requirements

- a. For any use within the District, the required number of parking spaces shall be satisfied by provided parking that is located within the block in which the use is located or within an adjacent block.
- b. Parking requirements of the District as a whole must be met by provided parking located within the District.

### 4. Building Materials

In addition to the requirements in Section II.E above, buildings fronting onto John Elliott Drive shall be constructed of one hundred percent (100%) clay-fired brick.

## **D. DT-4 Tollway District**

- 1. Building Height – Four (4) stories or sixty-five (65) feet.
- 2. Property Lines and Setbacks – Uniform setbacks, as indicated below, shall be maintained for buildings located on lots abutting the following roadways:
  - a. Cotton Gin Road – thirty (30) feet from back of curb
  - b. Dallas North Tollway – thirty (30) feet minimum and fifty (50) foot maximum from back of curb.
- 3. Maximum Lot Coverage – one hundred percent (100%)
- 4. Parking Requirements
  - a. No parking shall be permitted between the property line and the Street Façade.
  - b. Single-user parking is not eligible for shared parking.

## EXHIBIT “B-1”

Base Zoning District Legend				
P	Indicates Permitted Use	DT-2	DT-3	DT-4
	Indicates Prohibited Use			
S	Indicates Specific Use Permit Required			
#	Indicates Conditional Use			
Use Type				
Residential Uses				
<a href="#"><u>Caretaker's/Guard's Residence</u></a>		P	P	
<a href="#"><u>Garage Apartment</u></a>		P	P	
<a href="#"><u>Guest House</u></a>		P	P	
<a href="#"><u>Manufactured Home</u></a>				
<a href="#"><u>Model Home</u></a>		P	P	
<a href="#"><u>Multifamily Residence</u></a>		P	P	
<a href="#"><u>Private Street Development</u></a>				
<a href="#"><u>Retirement Housing</u></a>		P	P	
<a href="#"><u>Single Family Residence, Detached</u></a>		P	P	
<a href="#"><u>Studio Residence</u></a>		P	P	
<a href="#"><u>Townhome</u></a> (or Condominium)		P	P	
<a href="#"><u>Two Family Residence (Duplex)</u></a>		P	P	
Nonresidential Uses				
<a href="#"><u>Accessory Structure</u></a>				
<a href="#"><u>Airport/Heliport</u></a>				
<a href="#"><u>Alcoholic Beverage Establishment</u></a>			S	S
<a href="#"><u>Alcoholic Beverage Sales</u></a>			1	1
<a href="#"><u>Amenity Center</u></a>		P	P	P
<a href="#"><u>Antenna and/or Antenna Support Structure, Commercial</u></a>				
<a href="#"><u>Antenna and/or Antenna Support Structure, Non-Commercial</u></a>		P	P	P
<a href="#"><u>Antenna, Stealth</u></a>		P	P	P
<a href="#"><u>Antique Shop and Used Furniture</u></a>			P	
<a href="#"><u>Artisan's Workshop</u></a>			P	P
<a href="#"><u>Assisted Living Facility</u></a>		P	P	
<a href="#"><u>Athletic Stadium or Field, Private</u></a>				
<a href="#"><u>Athletic Stadium or Field, Public</u></a>				
<a href="#"><u>Auto Parts Sales, Outside</u></a>				
<a href="#"><u>Automobile Paid Parking Lot/Garage</u></a>				
<a href="#"><u>Automobile Parking Lot/Garage</u></a>		P	P	P
<a href="#"><u>Automobile Repair, Major</u></a>				
<a href="#"><u>Automobile Repair, Minor</u></a>				P
<a href="#"><u>Automobile Sales, Used</u></a>				
<a href="#"><u>Automobile Sales/Leasing, New</u></a>				
<a href="#"><u>Automobile Storage</u></a>				

Base Zoning District Legend			
P	Indicates Permitted Use		
	Indicates Prohibited Use		
S	Indicates Specific Use Permit Required		
#	Indicates Conditional Use		
Use Type	DT-2	DT-3	DT-4
<a href="#"><u>Bank, Savings and Loan, or Credit Union</u></a>		3	P
<a href="#"><u>Beauty Salon/Barber Shop</u></a>		P	P
<a href="#"><u>Bed and Breakfast Inn</u></a>	P	P	
<a href="#"><u>Big Box Retail Development</u></a>			
<a href="#"><u>Boarding or Rooming House</u></a>			
<a href="#"><u>Body Art Studio</u></a>			
<a href="#"><u>Building Material and Hardware Sales, Major</u></a>			
<a href="#"><u>Building Material and Hardware Sales, Minor</u></a>		P	P
<a href="#"><u>Bus Terminal</u></a>		P	P
<a href="#"><u>Business Service</u></a>		P	P
<a href="#"><u>Cabinet/Upholstery Shop</u></a>		P	P
<a href="#"><u>Campground or Recreational Vehicle Park</u></a>			
<a href="#"><u>Car Wash, Full Service</u></a>			2
<a href="#"><u>Car Wash, Self Service</u></a>			
<a href="#"><u>Cemetery or Mausoleum</u></a>			
<a href="#"><u>Child-Care: Foster Family Home (Independent)</u></a>			
<a href="#"><u>Child-Care: Foster Group Home (Independent)</u></a>			
<a href="#"><u>Child-Care: Licensed Child-Care Center</u></a>	P	P	P
<a href="#"><u>Child-Care: Licensed Child-Care Home</u></a>			
<a href="#"><u>Child-Care: Listed Family Home</u></a>			
<a href="#"><u>Child Care: Registered Child-Care Home</u></a>	P	P	P
<a href="#"><u>Church, Temple, Synagogue, Mosque, or Other Place of Worship</u></a>	P	P	P
<a href="#"><u>Civic/Convention Center</u></a>			
<a href="#"><u>College, University, Trade, or Private Boarding School</u></a>		S	S
<a href="#"><u>Commercial Amusement, Indoor</u></a>		P	P
<a href="#"><u>Commercial Amusement, Outdoor</u></a>		P	P
<a href="#"><u>Community Center</u></a>	P	P	P
<a href="#"><u>Concrete/Asphalt Batching Plant, Permanent</u></a>			
<a href="#"><u>Concrete/Asphalt Batching Plant, Temporary</u></a>	P	P	P
<a href="#"><u>Construction Yard and Field Office, Temporary</u></a>	P	P	P
<a href="#"><u>Contractor's Shop and/or Storage Yard</u></a>			
<a href="#"><u>Convenience Store with Gas Pumps</u></a>			2
<a href="#"><u>Convenience Store without Gas Pumps</u></a>		P	P
<a href="#"><u>Day Services, Adult</u></a>			
<a href="#"><u>Dry Cleaning, Major</u></a>			
<a href="#"><u>Dry Cleaning, Minor</u></a>		P	P
<a href="#"><u>Electrical Power Generating Plant</u></a>			
<a href="#"><u>Equipment and Machinery Sales and Rental, Major</u></a>			

Base Zoning District Legend			
P	Indicates Permitted Use		
	Indicates Prohibited Use		
S	Indicates Specific Use Permit Required		
#	Indicates Conditional Use		
Use Type	DT-2	DT-3	DT-4
<a href="#"><u>Equipment and Machinery Sales and Rental, Minor</u></a>			
<a href="#"><u>Fairgrounds/Exhibition Area</u></a>			
<a href="#"><u>Farm, Ranch, Stable, Garden, or Orchard</u></a>			
<a href="#"><u>Farmer's Market</u></a>		P	P
<a href="#"><u>Feed Store</u></a>			
<a href="#"><u>Flea Market, Inside</u></a>			P
<a href="#"><u>Flea Market, Outside</u></a>			
<a href="#"><u>Fortune Teller/Psychic</u></a>			
<a href="#"><u>Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority</u></a>		S	S
<a href="#"><u>Furniture Restoration</u></a>			
<a href="#"><u>Gas Pumps</u></a> (Accessory Use)			
<a href="#"><u>General Manufacturing/Industrial Use Complying with Performance Standards</u></a>			
<a href="#"><u>Golf Course and/or Country Club</u></a>			
<a href="#"><u>Governmental Office</u></a>	P	P	P
<a href="#"><u>Gymnastics/Dance Studio</u></a>		P	P
<a href="#"><u>Hall, Dance</u></a>			
<a href="#"><u>Hall, Reception/Banquet/Meeting</u></a>			
<a href="#"><u>Health/Fitness Center</u></a>		P	P
<a href="#"><u>Helistop</u></a> (Accessory Use)			
<a href="#"><u>Home Occupation</u></a>	P	P	
<a href="#"><u>Homebuilder Marketing Center</u></a>	P	P	
<a href="#"><u>Hospital</u></a>		P	
<a href="#"><u>Hotel</u></a>		P	P
<a href="#"><u>Household Care Facility</u></a>			
<a href="#"><u>Indoor Gun or Archery Range</u></a>			
<a href="#"><u>Landfill</u></a>			
<a href="#"><u>Laundromat</u></a>		P	P
<a href="#"><u>Limited Assembly and Manufacturing Use Complying with Performance Standards</u></a>			
<a href="#"><u>Locksmith/Security System Company</u></a>		P	P
<a href="#"><u>Machine Shop</u></a>			
<a href="#"><u>Massage Therapy, Licensed</u></a>		P	P
<a href="#"><u>Massage Therapy, Unlicensed</u></a>			
<a href="#"><u>Mini-Warehouse/Self-Storage</u></a>			
<a href="#"><u>Miscellaneous Hazardous Industrial Use</u></a>			
<a href="#"><u>Mobile Food Vendor</u></a>			
<a href="#"><u>Mortuary/Funeral Parlor</u></a>			P

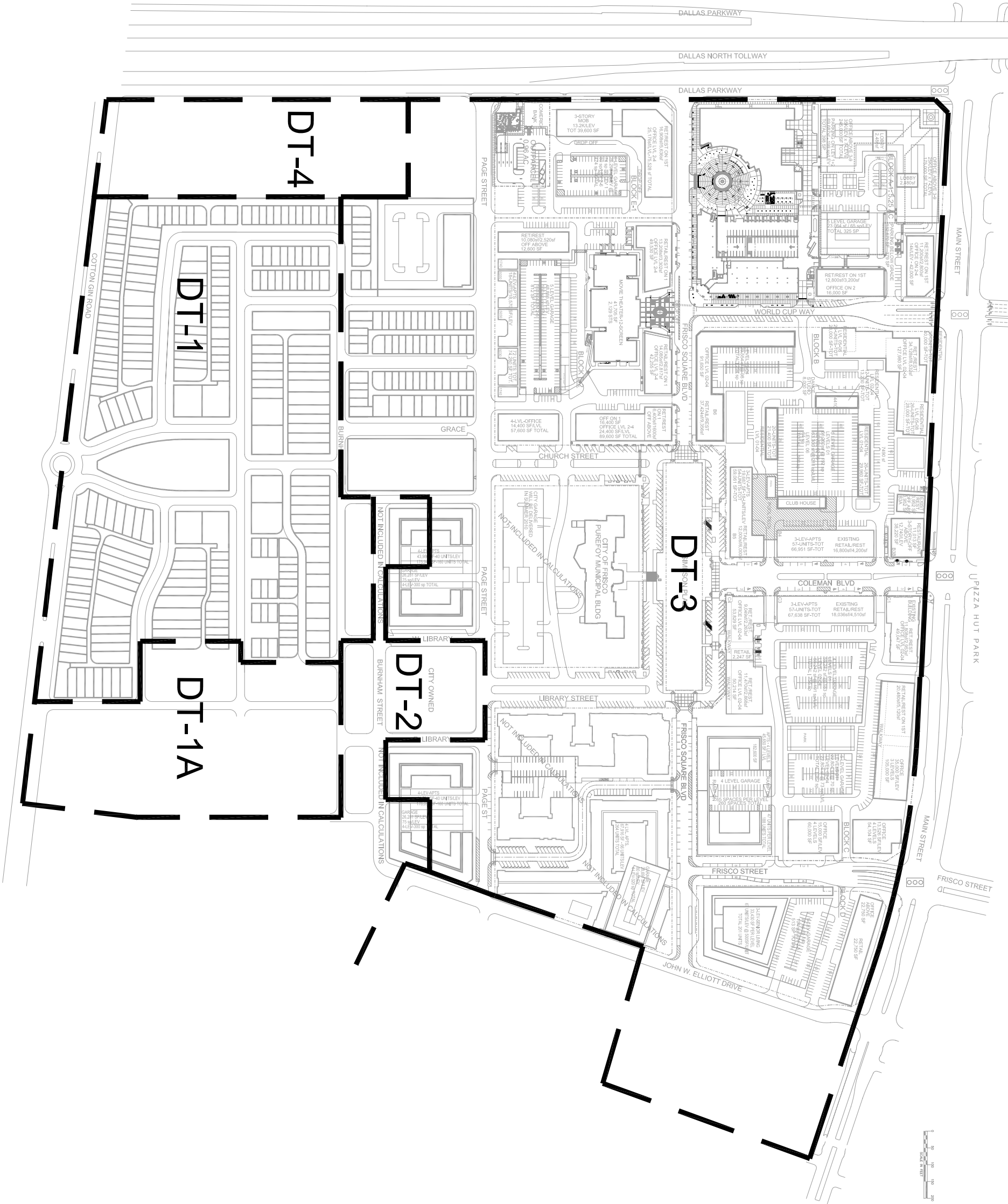


Base Zoning District Legend			
P	Indicates Permitted Use		
	Indicates Prohibited Use		
S	Indicates Specific Use Permit Required		
#	Indicates Conditional Use		
Use Type	DT-2	DT-3	DT-4
<a href="#"><u>Motel</u></a>			P
<a href="#"><u>Motorcycle Sales/Service</u></a>			
<a href="#"><u>Municipal Uses Operated by the City</u></a>			
<a href="#"><u>Museum/Art Gallery</u></a>	P	P	P
<a href="#"><u>Nursery, Major</u></a>			
<a href="#"><u>Nursery, Minor</u></a>			P
<a href="#"><u>Nursing/Convalescent Home</u></a>			
<a href="#"><u>Office and Storage Area for Public/Private Utility</u></a>			
<a href="#"><u>Office, Administrative, Medical, or Professional</u></a>		P	P
<a href="#"><u>Office/Showroom</u></a>		P	P
<a href="#"><u>Office/Warehouse/Distribution Center</u></a>			
<a href="#"><u>Oil Well/Gas Well and Mineral Extraction</u></a>	P	P	P
<a href="#"><u>Outside Storage and Display</u></a> (Incidental Use)	P	P	P
<a href="#"><u>Outside Storage and Display</u></a> (Primary Use)			
<a href="#"><u>Park or Playground</u></a>	P	P	
<a href="#"><u>Pawn Shop</u></a>			P
<a href="#"><u>Portable Building Sales</u></a>			
<a href="#"><u>Print Shop, Major</u></a>			
<a href="#"><u>Print Shop, Minor</u></a>		P	P
<a href="#"><u>Private Club</u></a>			
<a href="#"><u>Private Utility (other than listed)</u></a>	P	P	P
<a href="#"><u>Recreational Vehicle Sales and Service, New/Used</u></a>			
<a href="#"><u>Recreational Vehicle/Truck Parking Lot or Garage</u></a>			
<a href="#"><u>Recycling Center</u></a>			
<a href="#"><u>Recycling Collection Point</u></a>			
<a href="#"><u>Recycling Plant</u></a>			
<a href="#"><u>Rehabilitation In-Home Care</u></a>			
<a href="#"><u>Rehabilitation Care Institution</u></a>			
<a href="#"><u>Research and Development Center</u></a>			
<a href="#"><u>Residence Hotel (Extended Stay Hotel)</u></a>			
<a href="#"><u>Restaurant</u></a>		P	P
<a href="#"><u>Restaurant, Drive-In</u></a>			
<a href="#"><u>Retail Stores and Shops</u></a>		P	P
<a href="#"><u>Retail/Service, Incidental</u></a>	P	P	P
<a href="#"><u>Salvage Yard</u></a>			
<a href="#"><u>School District Bus Yard</u></a>	P	P	P
<a href="#"><u>School, Private</u></a>	S	S	S
<a href="#"><u>School, Public</u></a>	P	P	P
<a href="#"><u>Sewage Treatment Plant/Pumping Station</u></a>			

Base Zoning District Legend			
P	Indicates Permitted Use		
	Indicates Prohibited Use		
S	Indicates Specific Use Permit Required		
#	Indicates Conditional Use		
Use Type	DT-2	DT-3	DT-4
<a href="#">Sexually Oriented Uses</a>			
<a href="#">Small Engine Repair Shop</a>			
<a href="#">Stable, Commercial</a>			
<a href="#">Storage or Wholesale Warehouse</a>			
<a href="#">Taxidermist</a>			
<a href="#">Telephone Exchange</a>	S	S	
<a href="#">Temporary Building</a>			
<a href="#">Theater, Drive-In</a>			
<a href="#">Theater, Neighborhood</a>		P	P
<a href="#">Theater, Regional</a>		P	P
<a href="#">Trailer Rental</a>			
<a href="#">Trailer/Manufactured Home Display and Sales</a>			
<a href="#">Transit Center</a>		P	P
<a href="#">Truck Sales, Heavy Trucks</a>			
<a href="#">Truck Terminal</a>			
<a href="#">Truck/Bus Repair</a>			
<a href="#">Utility Distribution/Transmission Line</a>	S	S	S
<a href="#">Veterinarian Clinic and/or Kennel, Indoor</a>			P
<a href="#">Veterinarian Clinic and/or Kennel, Outdoor</a>			
<a href="#">Water Treatment Plant</a>			

### **Conditional Use Standards**

1. Alcoholic Beverage Sales for consumption off-premise are permitted in DT-3 or DT-4 with the following conditions:
  - a. Only two (2) businesses selling alcoholic beverages for consumption off-premises may locate in Frisco Square as permitted uses. Additional businesses selling alcoholic beverages for consumption off-premises are required to obtain a Specific Use Permit.
  - b. No more than one (1) business selling alcoholic beverages for consumption off-premise may be located on Main Street.
  - c. No more than one (1) business selling alcoholic beverages for consumption off-premise may be located on any given block.
  - d. Businesses selling alcoholic beverages for consumption off-premise must comply with the distance requirements set forth in the Zoning Ordinance.
2. Use is permitted only on the northeast corner of Cotton Gin Road and Dallas Parkway.
3. Motor Bank (drive-thru) facilities are not allowed in DT-3.





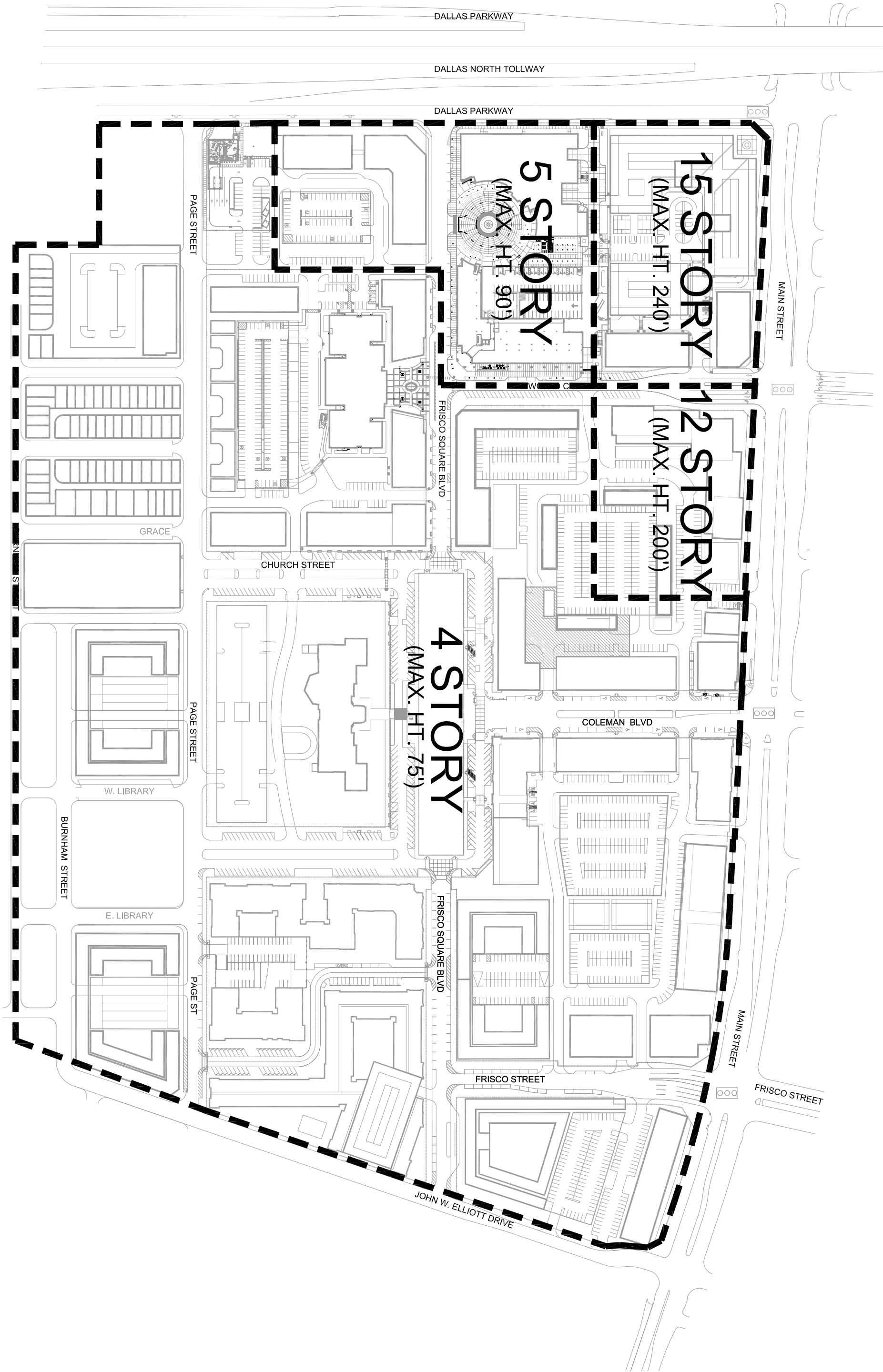
FRISCO SQUARE  
FRISCO, TX




EXHIBIT\_C\_-\_ZONING\_EXHIBIT  
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APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_




O'BRIEN






FRISCO SQUARE  
FRISCO, TX  
FRISCO SQUARE / BEHRINGER HARVARD

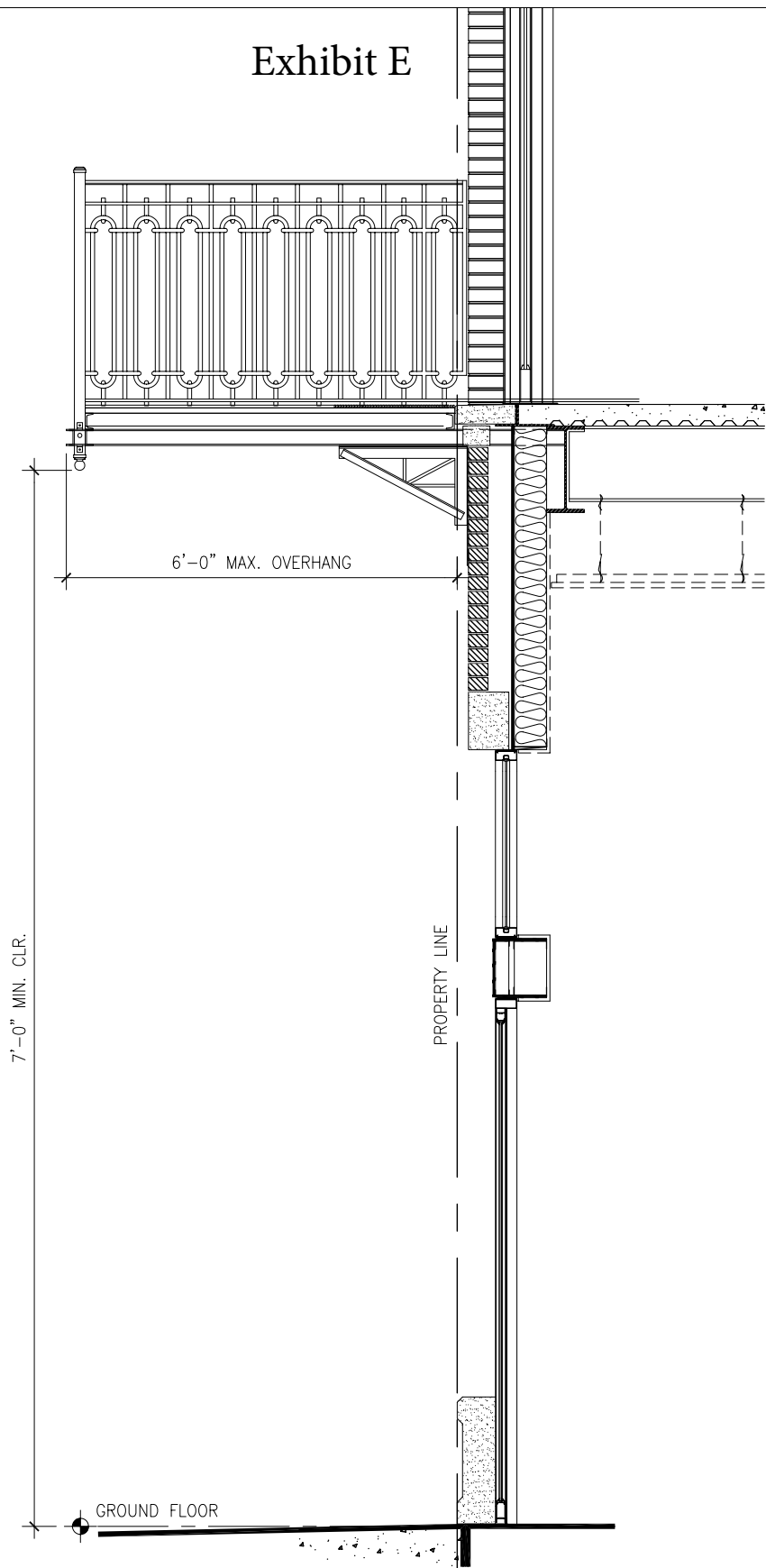


EXHIBIT\_D - HEIGHT\_EXHIBIT  
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Exhibit E



OVERHANGING PROJECTION



FRISCO SQUARE

FRISCO, TX  
FRISCO SQUARE /  
BEHRINGER HARVARD

EXHIBIT E-OVERHANG PROJECTION

SCALE: 3/8"=1 ■ JOB#: 28041 ■ ISSUE DATE: 06/06/11  
APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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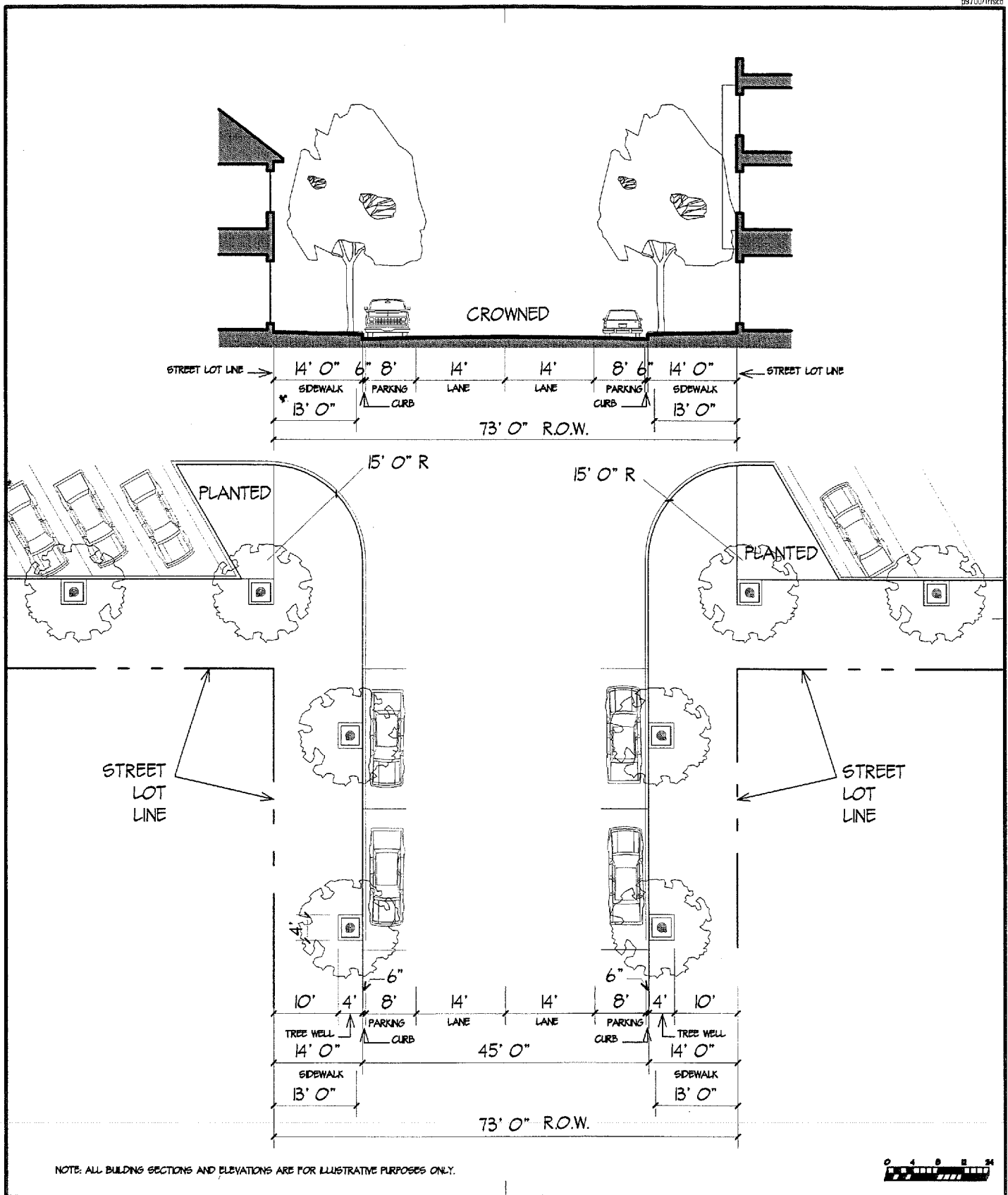


O'BRIEN

## Exhibit F-1



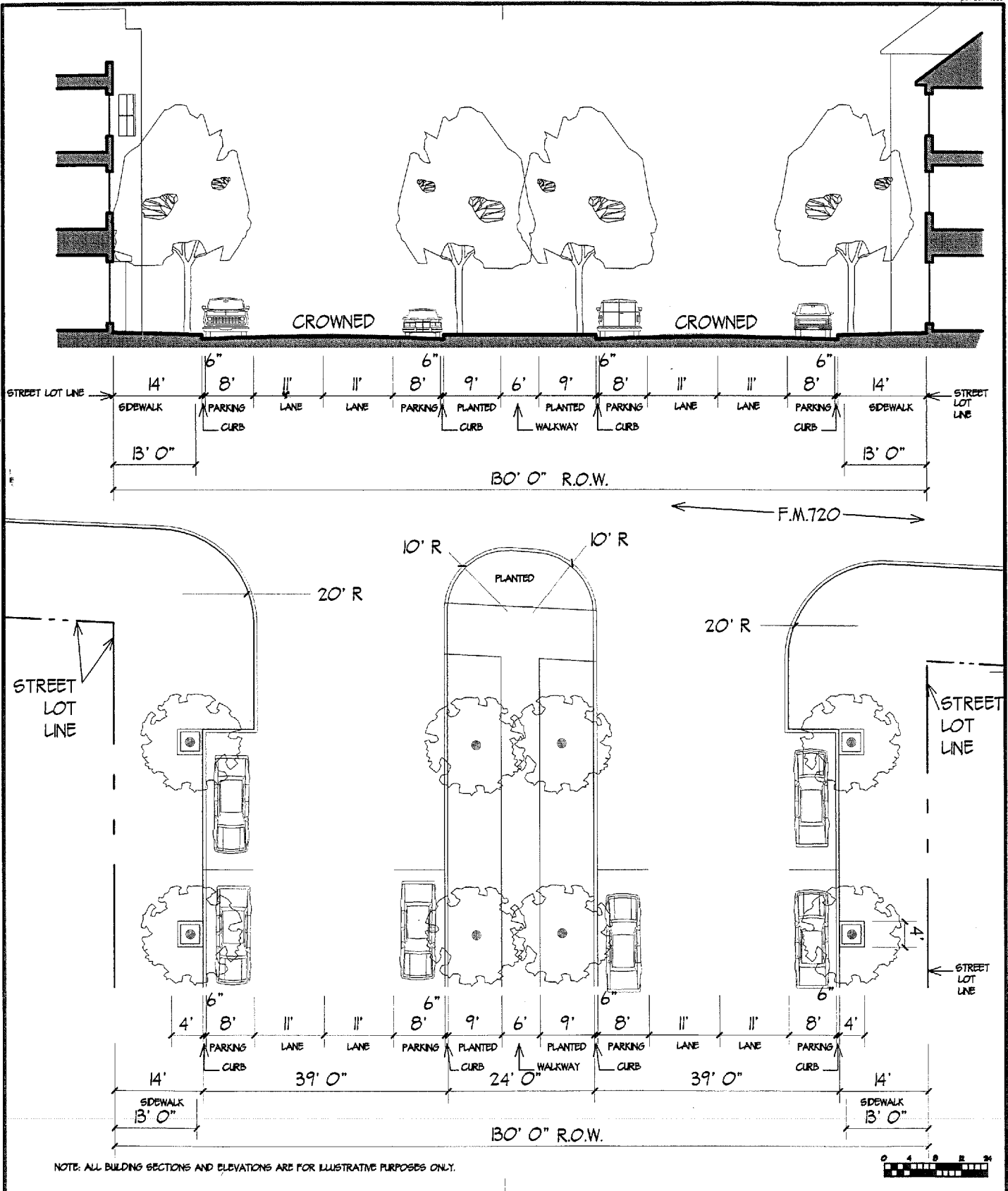




Public Right of Way Diagrams  
 W. MAIN STREET  
 ( AT INTERSECTION W/ TOWN SQUARE )  
 Plan and Section

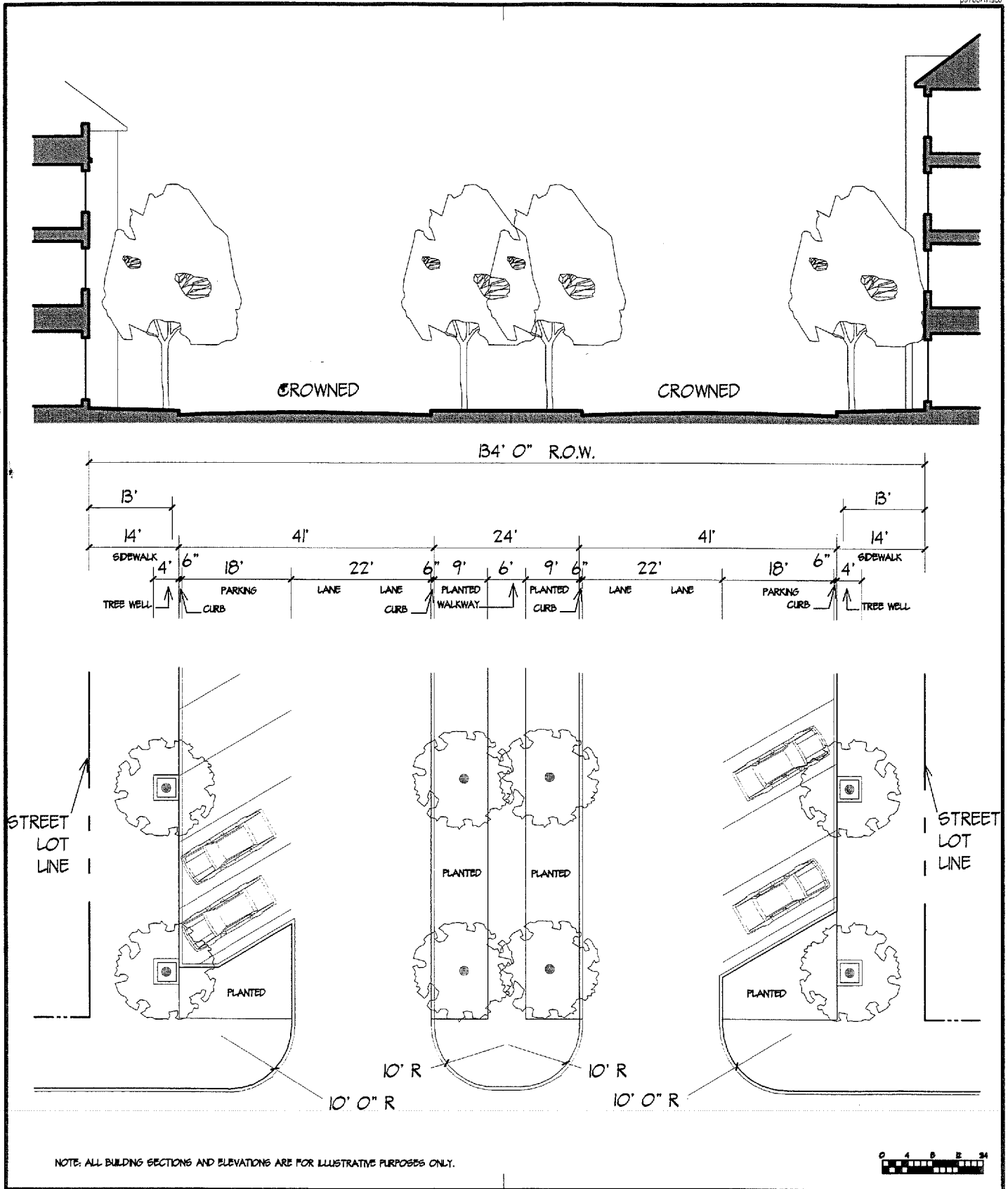
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**Exhibit F-3**





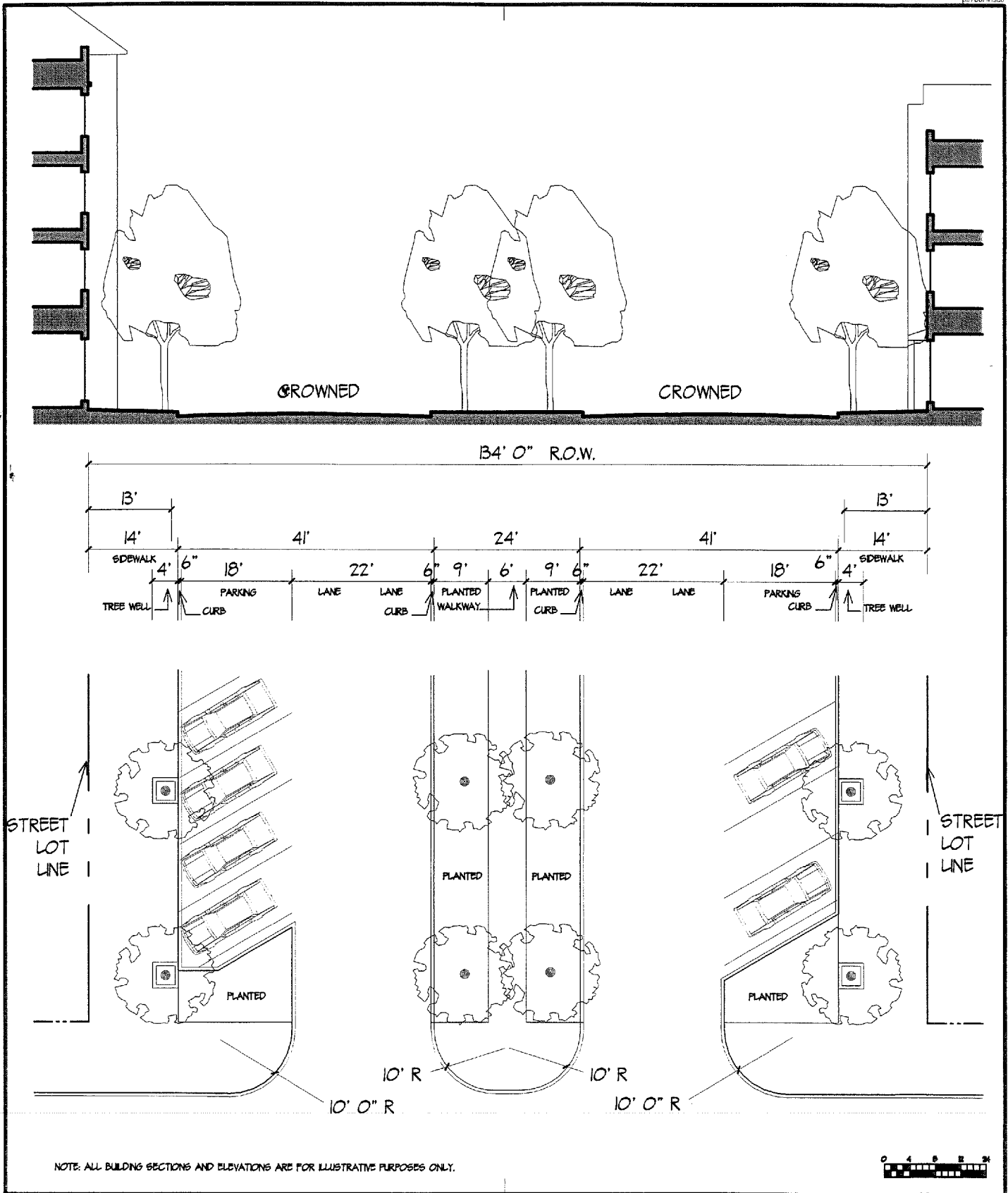
Public Right of Way Diagrams  
FRISCO STREET  
Plan and Section

CODE  
Exhibit F-4



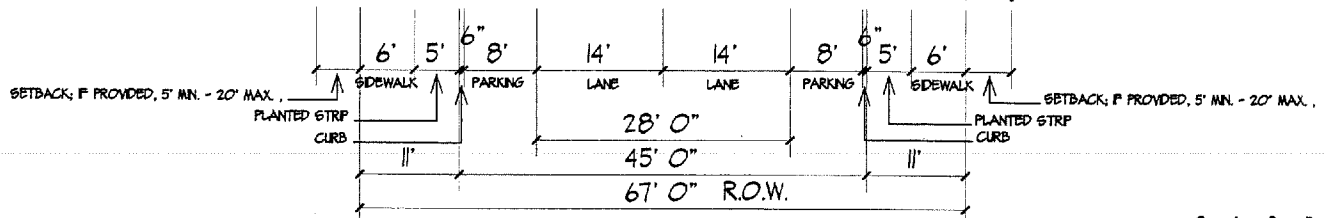
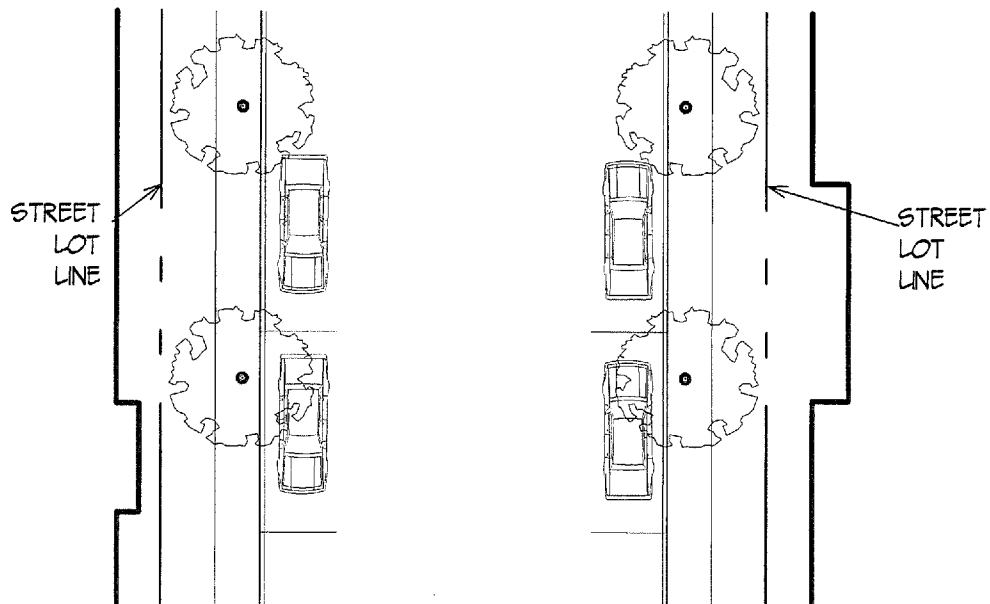
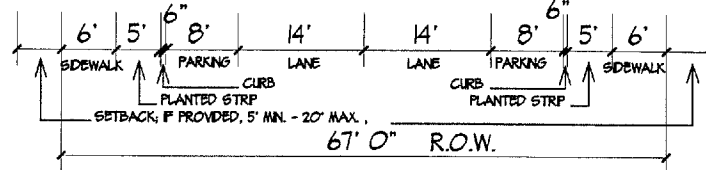
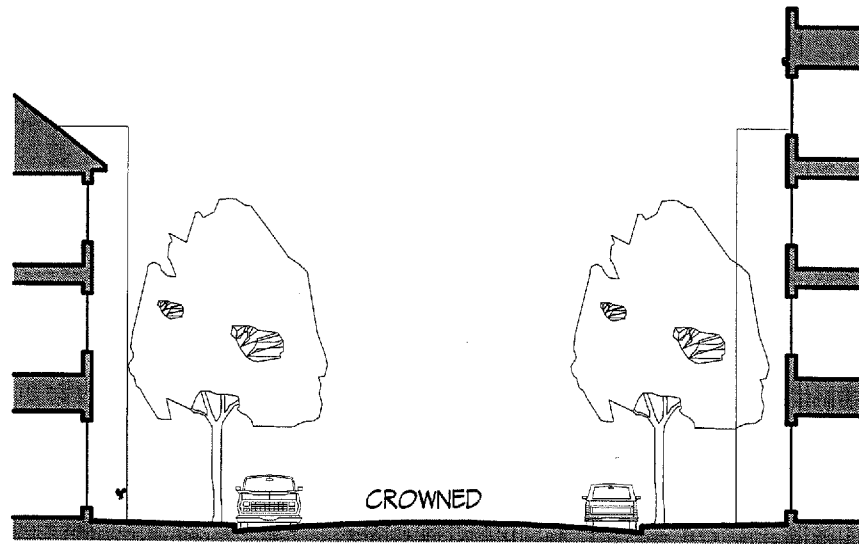
**Public Right of Way Diagrams**  
**LIBRARY STREET - NORTH OF ST. A**  
**Plan and Section**

**CODE**  
**Exhibit F-5**



Public Right of Way Diagrams  
CHURCH STREET  
Plan and Section

Sheet #  
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**Exhibit F-6**



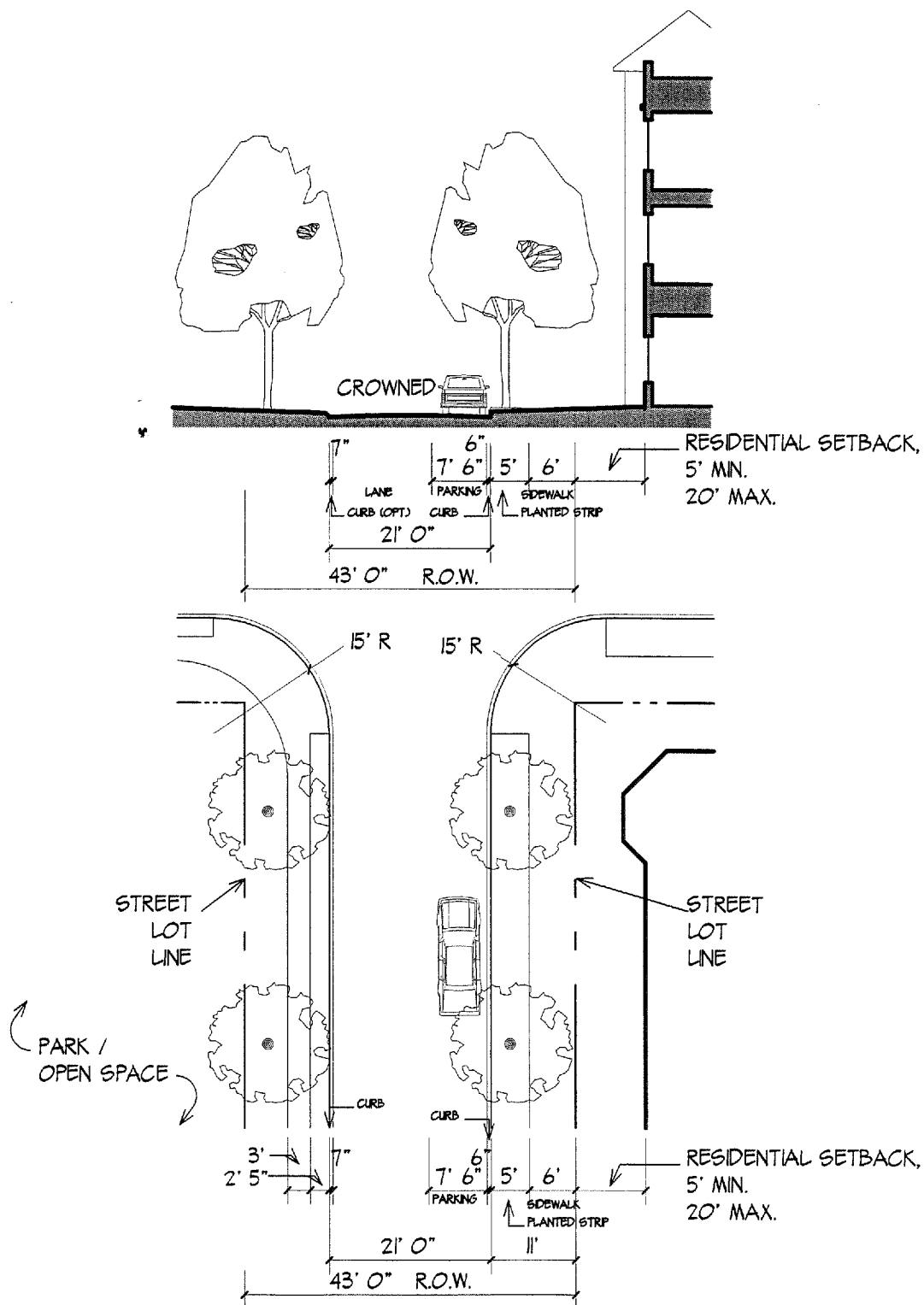
NOTE: ALL BUILDING SECTIONS AND ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY.



Public Right of Way Diagrams  
STREET "A"  
Plan and Section

Sheet #

CODE  
Exhibit F-7

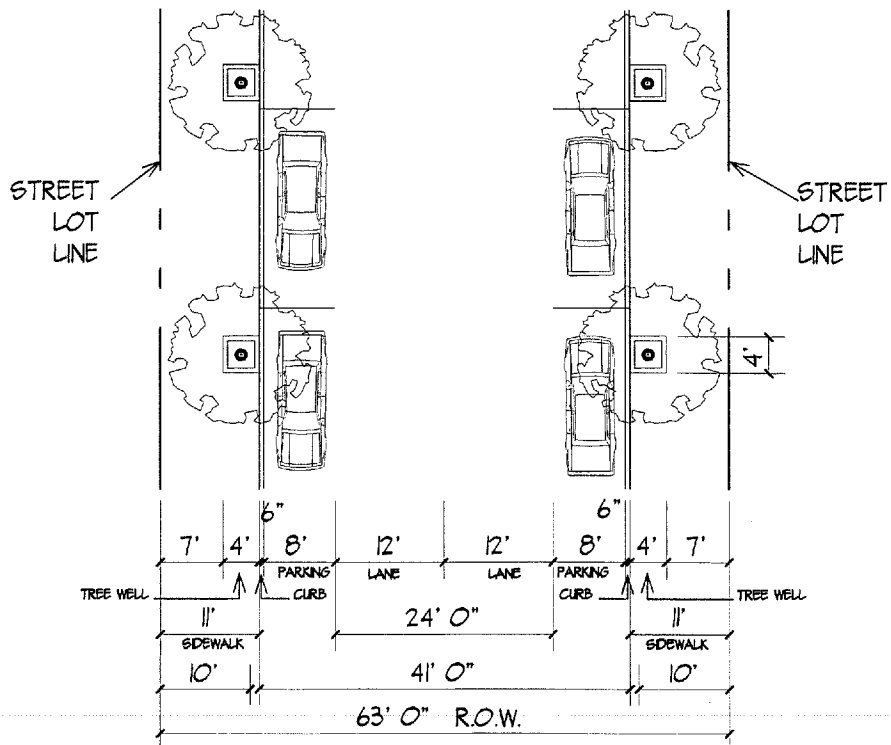
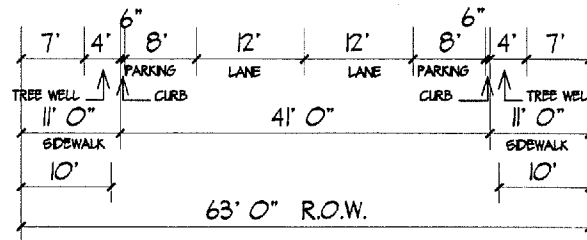
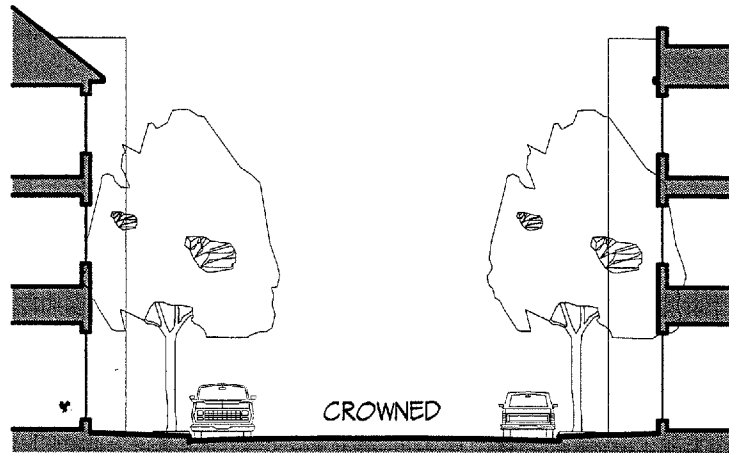


NOTE: ALL BUILDING SECTIONS AND ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY.



Public Right of Way Diagrams  
STREET "B" & / OR STREET "C"  
Plan and Section

CODE  
Exhibit F-8

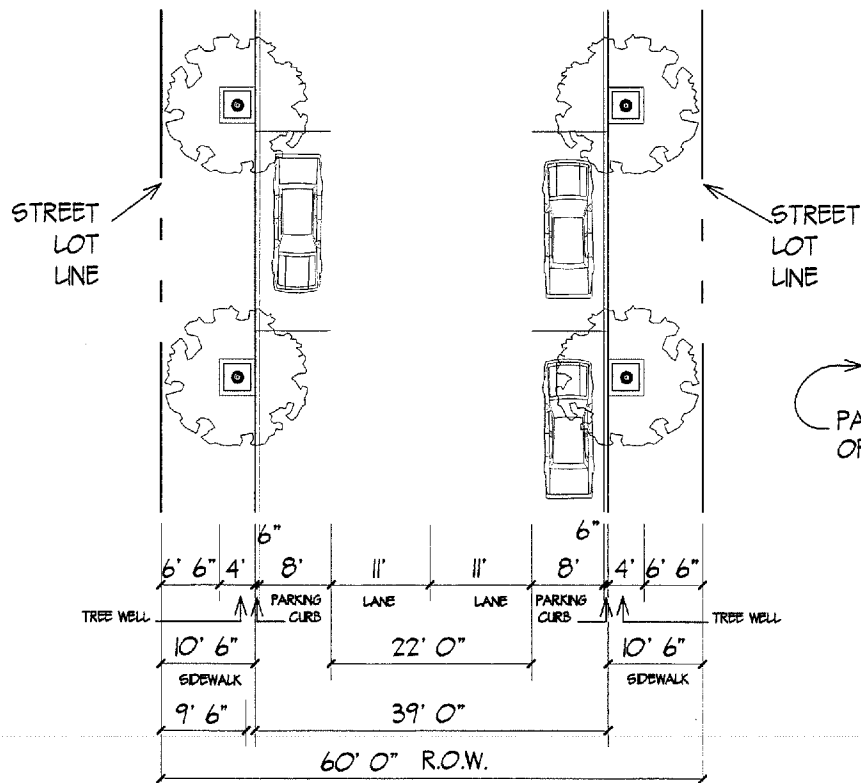
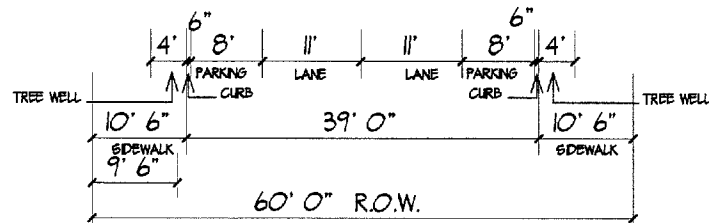
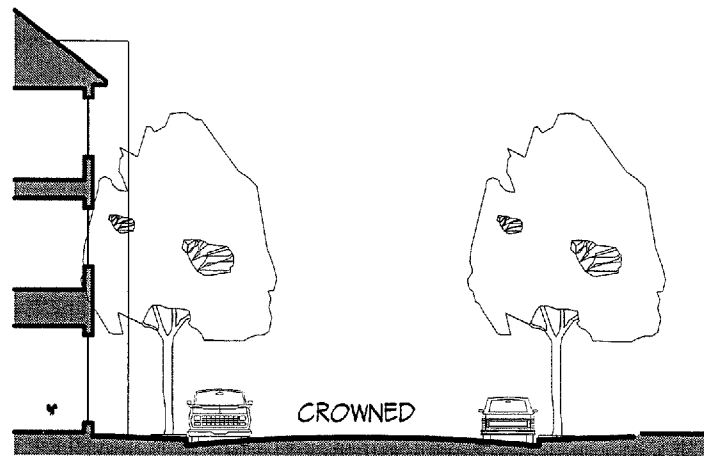


NOTE: ALL BUILDING SECTIONS AND ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY.



Public Right of Way Diagrams  
MARKET STREET  
Plan and Section

Sheet \*  
**CODE**  
**Exhibit F-9**

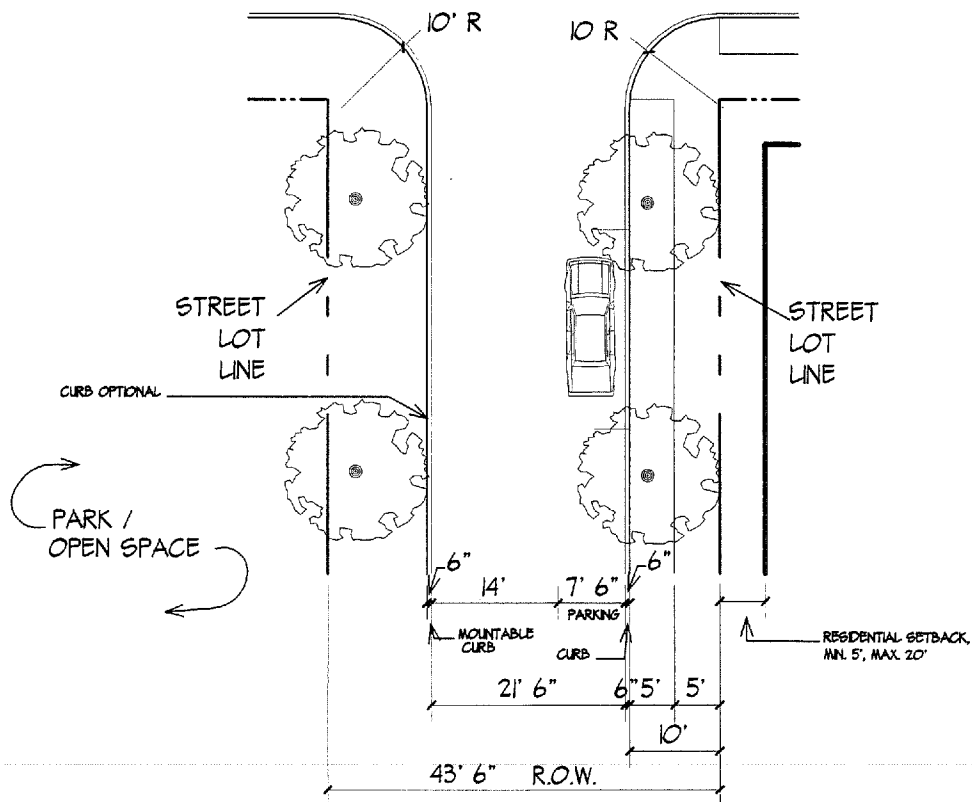
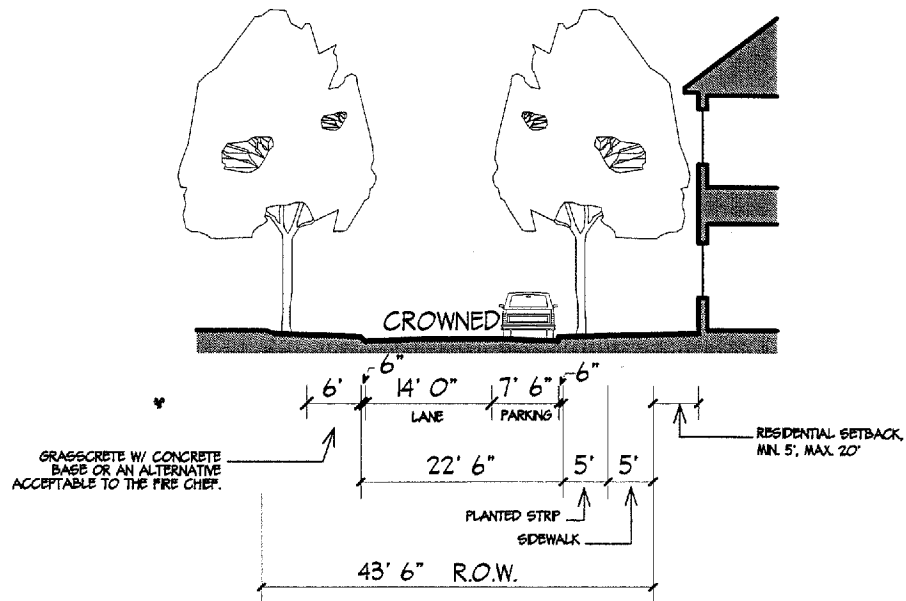


NOTE: ALL BUILDING SECTIONS AND ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY.



Public Right of Way Diagrams  
STREET "F"  
Plan and Section

Sheet \*  
CODE  
Exhibit F-10



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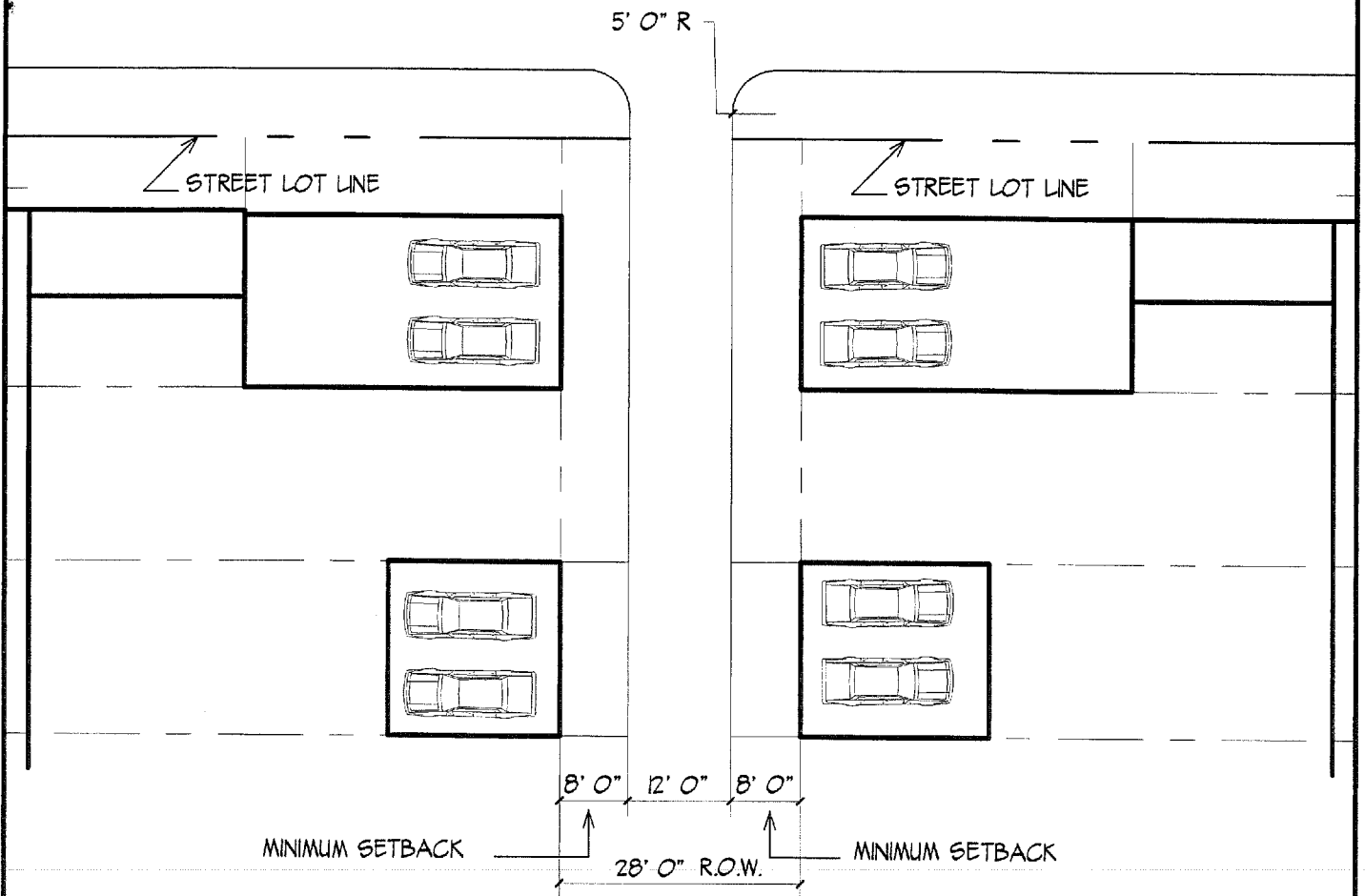
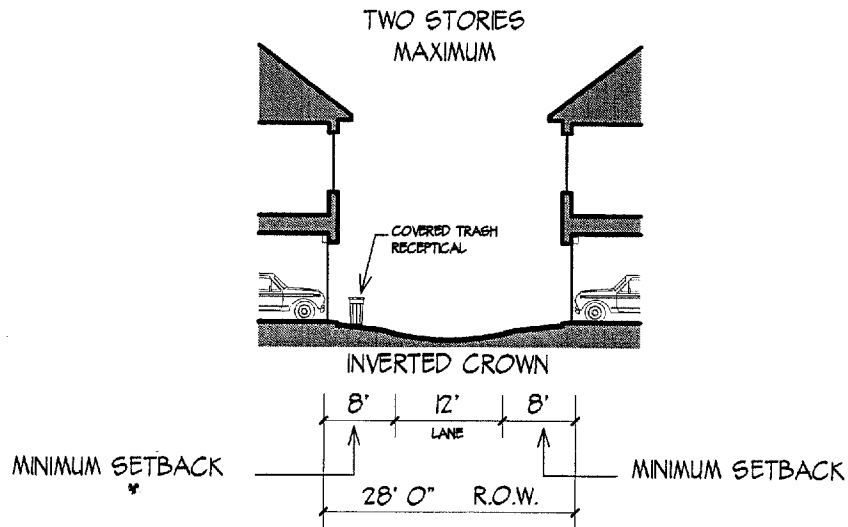


Public Right of Way Diagrams  
AT RESIDENTIAL SQUARE  
Plan and Section

Sheet #

CODE  
Exhibit F-11





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Public Right of Way Diagrams  
RESIDENTIAL ALLEY  
Plan and Section

Sheet #  
**CODE**  
**Exhibit F-12**

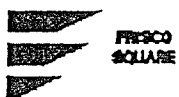
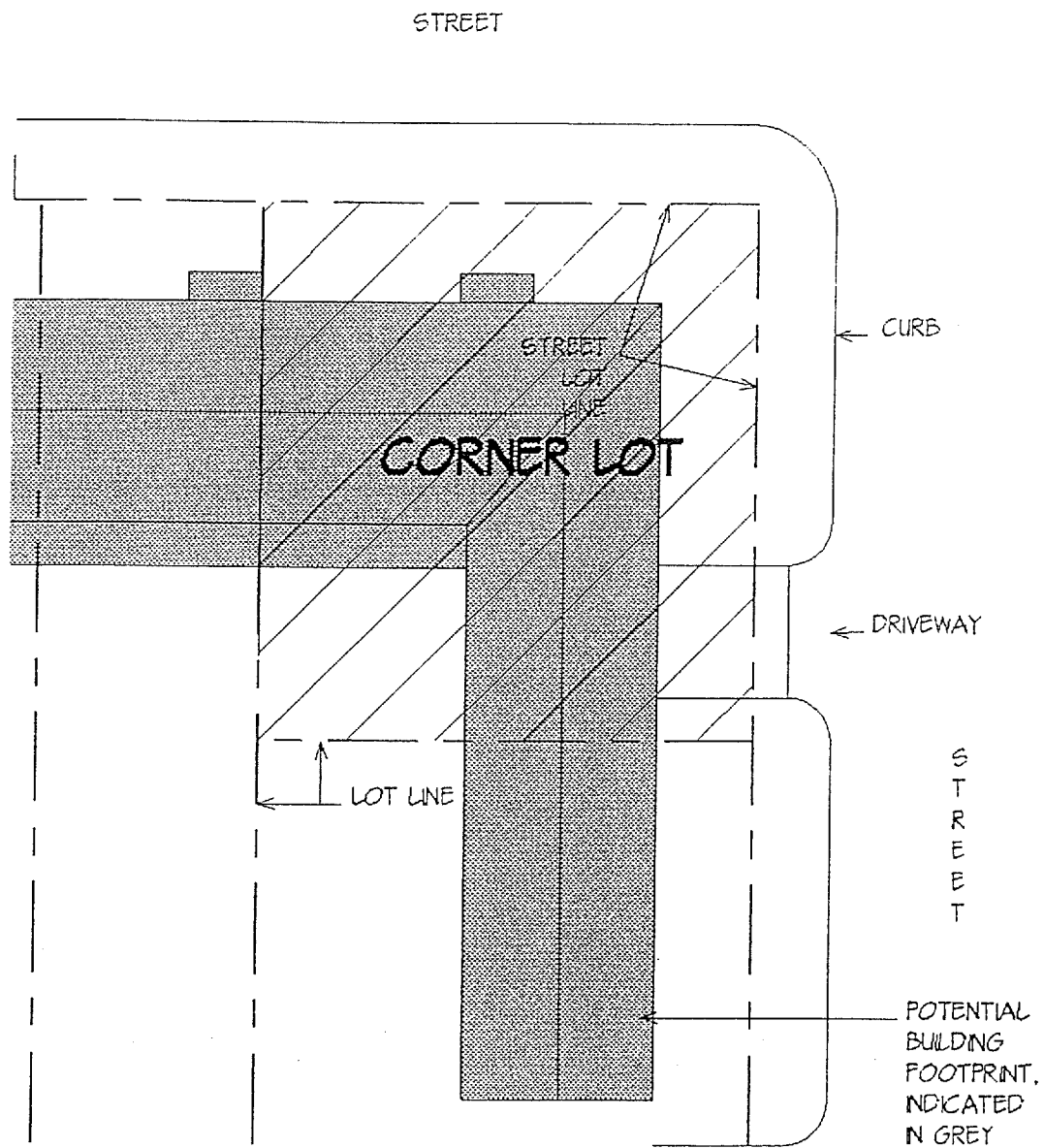


Exhibit Diagrams  
CORNER LOT  
Plan

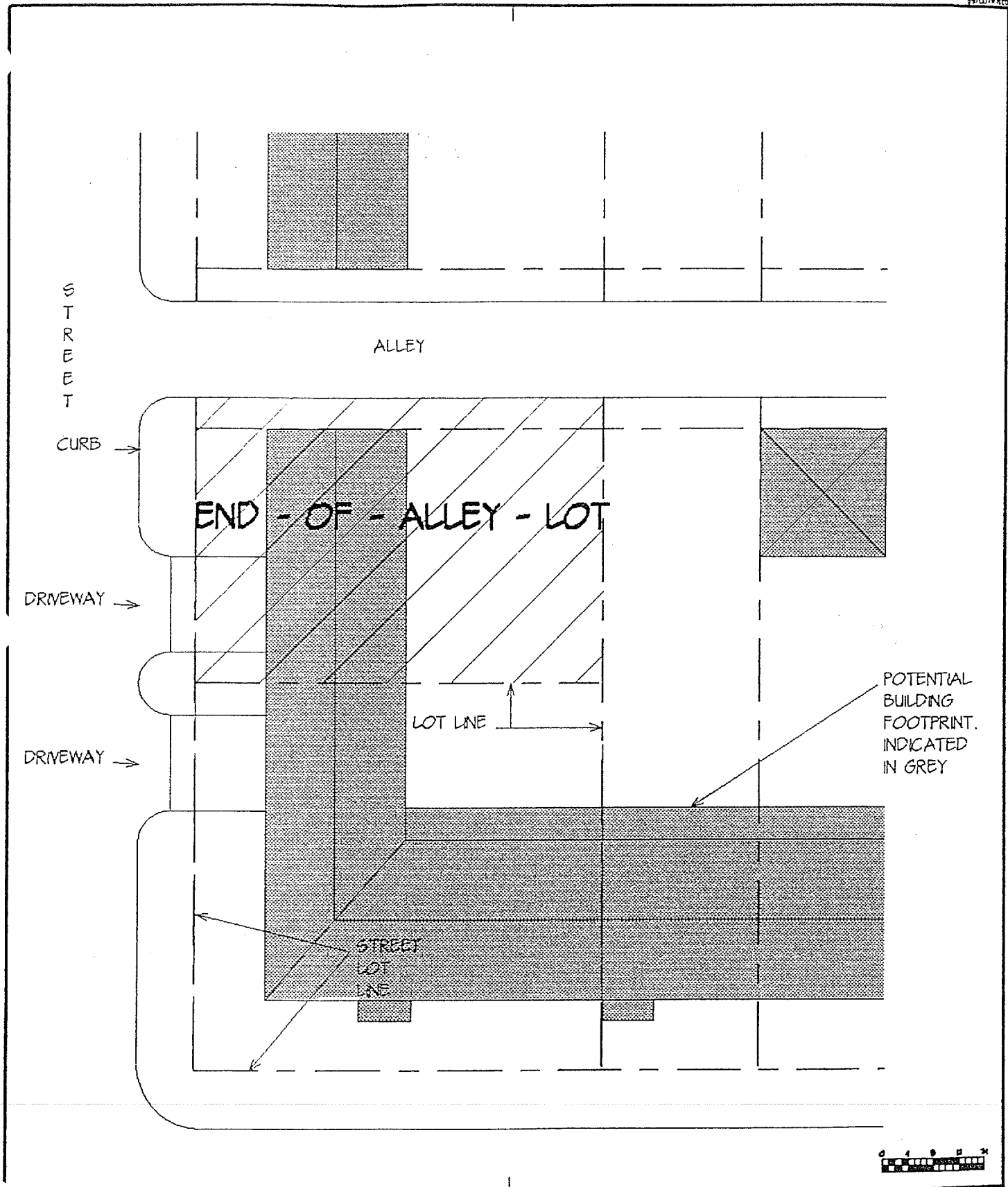
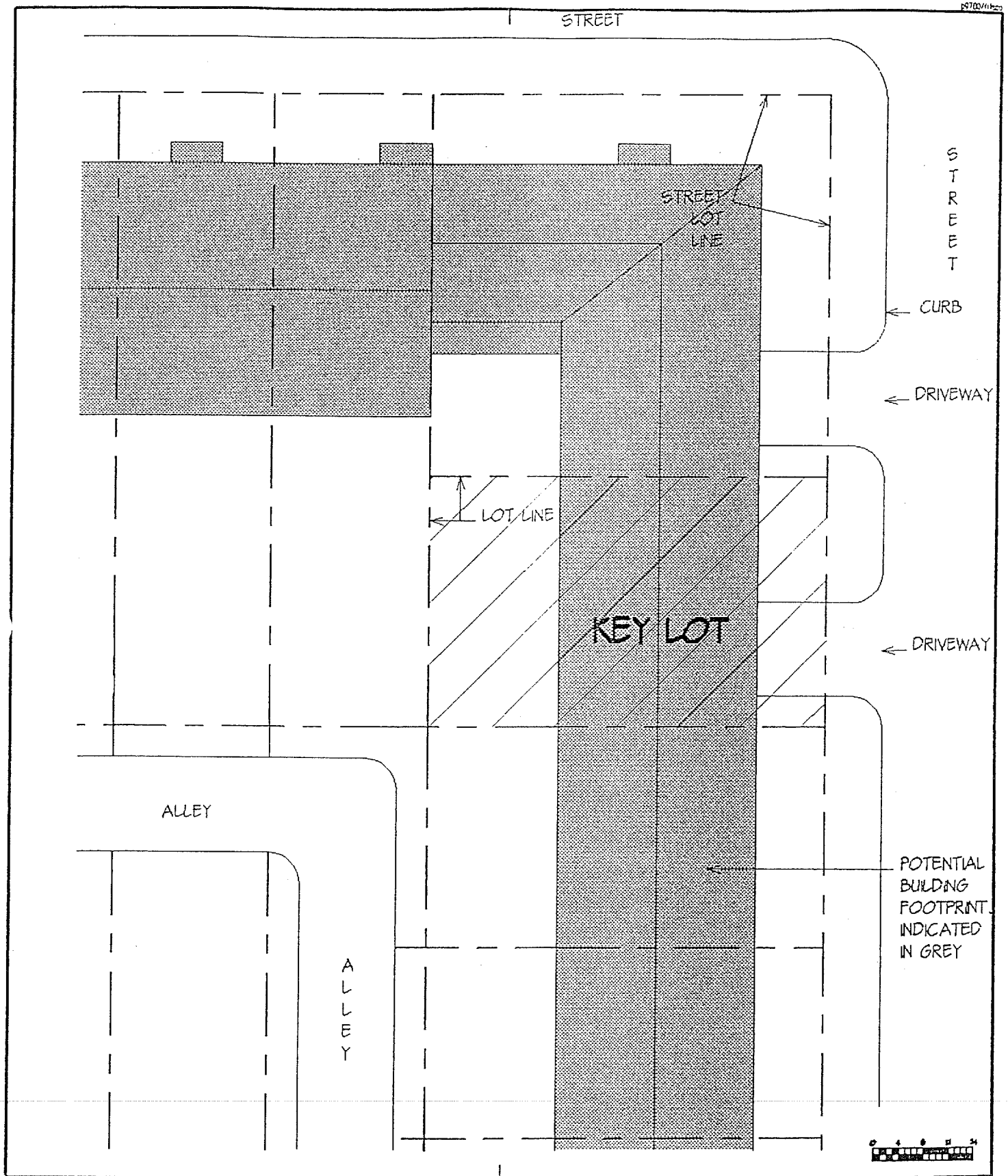


Exhibit Diagrams  
END - OF - ALLEY LOT  
Plan



PRISCO  
SQUARE

Exhibit Diagram  
KEY LOT  
Plan

Exhibit F-15